

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 27.03.2019

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.9723 of 2012

Rettanai.K.Kothandapani

... Petitioner

Vs

1. The Superintendent of Police,
District Police Department,
Villupuram District,
Villupuram 605 602.

2. The Additional Superintendent of Police,
District Prohibition Section and
Add. Crime Superintendent of Police,
Villupuram-605 602.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to conduct the auction sale in respect of seized vehicles after giving proper advertisement to the public as per law .

For Petitioner : No appearance

For Respondents : Mr.Elumalai
Government Advocate

ORDER

The writ petitioner has filed a writ petition in the year 2012, seeking Mandamus in the nature of direction to the respondents to conduct the auction sale in respect of seized vehicles after giving proper advertisement to the public as per law.

2. The petitioner claims to be a farmer and social worker. He had seen advertisement for vehicle auction in "Dinamalar" news paper on 03.03.2012. According to him the said advertisement was not according to the rules. It was stated that he had made representation on 06.03.2012 to cancel the illegal

auction. However, on 07.03.2012, without considering his representation, the respondents had conducted the auction sales.

3.The learned Government Pleader had filed a counter in which it is stated that with respect to the sale of the said vehicles by public auction, notices were issued in "Dinamalar" on 03.03.2012 and "Dinathandhi" on 04.03.2012 and the auction was conducted in accordance with law in the presence of general public.

4.There is no representation on behalf of the writ petitioner. It is quite natural there is no representation since, the writ petition itself has become infructuous. As a matter of fact, this Court had also dismissed the direction petition in M.P.No.1 of 2012 by order dated 23.01.2018. The writ petitioner is not directly connected with the auction sale. Though he claims to be a social worker, no documents have been enclosed to substantiate fact. As rightly pointed out by the learned Government Pleader, the auction has been conducted in accordance with the rules after giving notice in newspapers which have wide circulation in the said area. I hold there is no infirmity in the auction being conducted.

5.Consequently, the writ petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

1. The Superintendent of Police,
District Police Department,
Villupuram District, Villupuram - 605 602.
2. The Additional Superintendent of Police,
District Prohibition Section and
Add. Crime Superintendent of Police,
Villupuram-605 602.

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CA(CO)
CS/08/05/2019