



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)Nos.3521 to 3527 of 2019

and

WMP(MD)Nos.2760 to 2773 of 2019

A.VIJAYAKUMAR,	...PETITIONER IN WP(MD).3521/2019
S.SUBRAMANI,	...PETITIONER IN WP(MD).3522/2019
B.GOVINDASAMY,	...PETITIONER IN WP(MD).3523/2019
M.ANTHONISAMY,	...PETITIONER IN WP(MD).3524/2019
P.K.T. NATARAJAN,	...PETITIONER IN WP(MD).3525/2019
P.V. NATARAJAN,	...PETITIONER IN WP(MD).3526/2019
K. LEELAVATHI,	...PETITIONER IN WP(MD).3527/2019

Vs.

The Block Development Officer/Commissioner,
Aathoor Panchayat Union,
Station at Sempatti,
Dindigul District.

... Respondents in all the WPs

COMMON PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned tender notice made in Na.Ka.No.344/2016/A1 dated 05.02.2019 on the file of the respondent herein and to quash the same and consequently direct the respondent herein to follow the Tamil Nadu Transparency in Tenders Act, 1998 and Rules 2000.

in all cases :

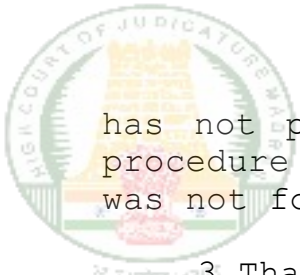
For Petitioner : Mr.M.Thirunavukkarasu
for M.O.Thevan Kumar

For Respondents : Mr.M.Rajarajan, Government Advocate

COMMON ORDER

Heard the learned counsel on either side.

2.The writ petitioners are the existing licensees of the shops in question belonging to the respondent panchayat union. The shops presently in the occupation of the petitioners are sought to be brought to public auction. The petitioners question the impugned auction notice dated 05.02.2019. It is beyond dispute that the respondent



has not published the auction notice in any newspaper. The procedure set out in Tamil Nadu Transparency in Tenders Act, 1998 was not followed.

3. That apart, as rightly pointed out by the learned counsel appearing for the writ petitioner even the upset price has not been mentioned. The respondent issued the tender schedule only to some named individuals.

4. Therefore, since the auction process is vitiated on these grounds, I have no hesitation to set aside the impugned auction notice in all these writ petitions. Accordingly they are set aside. These writ petitions stand allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

Skm

To

The Block Development Officer/Commissioner,
Aathoor Panchayat Union,
Station at Sempatti,
Dindigul District.

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 50116

WP (MD) Nos. 3521 to 3527 of 2019

and

WMP (MD) Nos. 2760 to 2773 of 2019

25.02.2019

TR (29.03.2019) 2P 3C