

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6521 of 2020
and
W.M.P.No.7742 of 2020

M.Rajeshkumar

... Petitioner

Vs.

1.The Executive Engineer cum
Administrative Officer
Villupuram Housing Unit
Tamil Nadu Housing Board
Maharajapuram
Villupuram - 605 602.

2.The Auction Sale Confirmation Committee
Villupuram Housing Unit
Keelperumbakkam Phase-II
Tamil Nadu Housing Board
Maharajapuram
Villupuram - 605 602.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Letter No.R6/8821/97 dated 24.02.2020 and quash the same and consequently, direct the respondents to confirm sale in favour of the petitioner in respect of Commercial Plot VPM-030A of Keelperumbakkam Phase-II, Villupuram.

For Petitioner : Mr.Ravichandran Sundaresan

For Respondents: Mr.R.Bharathkumar
standing counsel

O R D E R

The petitioner is aggrieved against the proceedings dated 24.02.2020 issued by the first respondent informing the petitioner that the tender process was cancelled and that the petitioner can get back the EMD (Earnest Money Deposit) deposited by him.

2. Heard both sides.

3. It is seen that the first respondent called for application for sale of various plots at Keelperumbakkam Phase-II, Villupuram Housing Board Unit and the petitioner participated in the tender process and quoted a sum of Rs.1,97,25,000/- as his bid amount. According to the petitioner, he quoted the highest bid. However, the respondents have chosen to cancel the tender process and directed the petitioner to get back the EMD amount deposited by him. Challenging the said action of the respondents, the petitioner filed the present writ petition.

4. Admittedly, the respondents have not declared the petitioner's bid as the highest and confirmed the same in his favour. Even before reaching such stage, the respondents have chosen to cancel the very tender process.

5. It is stated by the learned standing counsel for the respondents that fresh tender is called for and the auction is to take place on 19.03.2020.

6. In view of the above stated facts and circumstances, the petitioner, having not vested with any right, based on his submission of tender, is not entitled to seek the relief sought for in this writ petition. Needless to say that it is open to the petitioner to take part in the fresh tender proceedings. Accordingly, this Writ Petition is dismissed, however, by granting liberty to the petitioner to participate in the fresh tender process. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

+1cc to Mr.R.Bharathkumar, Advocate Sr.23873
+1cc to Mr.P.K.Narayanan, Advocate Sr.22873

W.P.No.6521 of 2020

mrp[co]
srg 21/07/2020