



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.01.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.519 of 2020
and
WMP (MD) Nos.394 & 395 of 2020

S.Murugan

.. Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Executive Engineer,
Public Works Department/WRO,
Tamirabarani Basin Division,
Tirunelveli - 2.

3.The Assistant Executive Engineer,
Public Works Department/WRO,
Tamirabarani Basin Division,
Tirunelveli - 2.

4.The Assistant Engineer,
Public Works Department/WRO,
Tirunelveli Channel Section
Tirunelveli - 2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the auction notice issued by the 4th respondent in Lr.No.Ko.24/2019/A.E(Ti-02) dated 23.12.2019 as far as the Udayarpattikulam tank in T.S Ward No.11, Block 18 in T.S.No.1305(old R.S.No.1) situated at Manimoorteeswaram Village, Tirunelveli Taluk, Tirunelveli District is concerned and further direct the respondents to allot the lease for the said tank till the year 2019-2020 to the petitioner.

For Petitioner : Mr.T.Selvan

For Respondents : Mrs.J.Padmavathi Devi
Special Government Pleader



ORDER

This writ petition is filed challenging the auction notice issued by the fourth respondent in Lr.No.Ko.24/2019/A.E(Ti-02) dated 23.12.2019 in so far as the Udayarpattikulam tank in T.S Ward No.11, Block 18 in T.S.No.1305 (old R.S.No.1) situated at Manimoorteeswaram Village, Tirunelveli Taluk, Tirunelveli District is concerned and further direct the respondents to allot the lease for the said tank till the year 2019-2020 to the petitioner.

2.The petitioner had already taken the above said tank on lease in the year 2016 and he has been in possession of the tank. Earlier, there was an announcement for conduct of auction of the said tank in the year 2017 which was challenged by the petitioner and stay was granted on 11.12.2017. In the meanwhile, the impugned auction notification was issued by the fourth respondent for conducting auction for 13 tanks including the tank in which the petitioner was in possession on 09.01.2020. Though the said challenge is to the auction notice, the petitioner was also directed to participate in the auction. Now it is stated by the learned Special Government Pleader that auction was successfully conducted and the petitioner S.Murugan is the highest bidder for the period between 15.01.2020 and 30.06.2020. The bid of the petitioner is also confirmed by the respondents.

3.Recording the same, this writ petition is closed. Consequently, WMP(MD)Nos.394 and 395 of 2020 are also closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Executive Engineer,
Public Works Department/WRO,
Tamirabarani Basin Division,
Tirunelveli - 2.



3.The Assistant Executive Engineer,
Public Works Department/WRO,
Tamilabarani Basin Division,
Tirunelveli - 2.

4.The Assistant Engineer,
Public Works Department/WRO,
Tirunelveli channel Section
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VB(04.02.2020) 3P 5C