



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

**W.P(MD)Nos.4667, 4669, 4671, 4673, 4674, 4676 and 4677 of 2020
and**

**W.M.P(MD) .Nos.4035, 4036, 4862, 4038, 4039, 4040, 4042 and 4043 of
2020**

B.Govindasamy	...	Petitioner	in W.P(MD).No.4667 of 2020
M.Antonymsamy	...	Petitioner	in W.P(MD).No.4669 of 2020
P.V.Natarajan	...	Petitioner	in W.P(MD).No.4671 of 2020
P.K.T.Natarajan	...	Petitioner	in W.P(MD).No.4673 of 2020
A.Vijayakumar	...	Petitioner	in W.P(MD).No.4674 of 2020
S.Subramani	...	Petitioner	in W.P(MD).No.4676 of 2020
K.Leelavathi	...	Petitioner	in W.P(MD).No.4677 of 2020

Vs.

1.The Collector,
Dindigul District,
Dindigul.

2.The Commissioner,
Athoor Panchayat Union,
Athoor, Dindigul District.

.. Respondents in all WPs

COMMON PRAYER: Writ Petition are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in Na.Ka.No.0392/2020/A1 dated 21.02.2020 and quash the same as illegal and arbitrary and consequently direct the second respondent to issue the order of renewal of lease for the Shop Nos.2,1,3,5,6,4 and 9 respectively by accepting the enhanced rent sent by the petitioner in accordance with G.O.Ms.No.92/2007 Municipal Administration and Water Supply (NaNi4) Department dated 03.07.2007.

For Petitioner	: Mr.M.O.Thevan Kumar
For Respondents	: Mr.S.Dayalan Government Advocate (for R1) Mr.M.Rajarajan Standing Counsel (For R2)

COMMON ORDER

W.P(MD).No.4667 of 2020 has been filed in the nature of Certiorarified Mandamus calling for the records an order of the second respondent, namely Commissioner of Athoor Panchayat Union, Athoor, Dindigul District in Na.Ka.No.0392/2020/A1 dated 21.02.2020 and set aside the same and direct the second respondent to issue order of renewal of lease for shop No.2 for the petitioner.



2.It is stated that questioning the said impugned order, a batch of seven writ petitions have been filed and in all writ petitions, the respective petitioners have also sought for renewal of lease of their respective shops.

3.When the matter came up for admission, Mr.M.Rajarajan, learned Standing Counsel had taken notice on behalf of the second respondent. This was on 05.03.2020. Time was granted for filing counter till today (17.03.2020). This Court had further ordered that till today (17.03.2020), no coercive steps is to be taken as against the petitioners.

4.Today, a proceedings of the District Collector, Dindigul in Na.Ka.No.655/2020/A4 dated 05.03.2020 had been produced for perusal by the learned Standing Counsel. In the same, the District Collector, after stating out various facts, had finally stated that the auction, which was conducted on 21.02.2020, over which the present writ petitioners are aggrieved, stands cancelled. It had been stated that after following due process, a fresh auction notice will be issued.

5.In view of this development, the relief sought for in these writ petitions do not further survive and no orders are required. Accordingly, these writ petitions are all closed. A mandamus is also not issued granting renewal of the shops. It will all depend on the further notice if any issued and if issued by the authorities. No order as to costs. Seeking renewal of release is left open to the petitioners. Consequently, connected Miscellaneous Petitions are also closed.

6.Today, W.M.P(MD).No.4862 of 2020 had also been placed for consideration, in which, the petitioner therein namely V.Ramakrishnan had sought permission to implead himself in W.P.(MD). No.4669 of 2020 stating that with respect to shop No.1, he had participated in the auction and he was the successful bidder. Unfortunately, the said auction is now set aside by the District Collector, Dindigul by order referred above. Therefore, this Court cannot pass any order granting him permission to be impleaded, since the main writ petitions themselves have been closed. Accordingly, W.M.P(MD).No.4862 of 2020 is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

The Collector,
Dindigul District, Dindigul.

+1 CC to Mr.M.O.THEVANKUMAR, Advocate (SR-12058[F]dated
17/03/2020)

+1 CC to SPL GP (SR-12249[F] dated 18/03/2020)

**W.P(MD)Nos.4667, 4669, 4671,
4673, 4674, 4676 and 4677 of 2020
17.03.2020**

VB(08.05.2020) 3P 4C