

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.4575 of 2021
and
WMP Nos.5202 and 5204 of 2021

Narayanasamy

... Petitioner

Vs

1. The Executive Engineer,
PWD/WRD, Madhya Pennaiyaru,
Vadinila Irrigation Section,
Thiruvannamalai and District.

2. The Assistant Executive Engineer,
PWD/WRD, Madhya Pennaiyaru,
Vadinila Irrigation Section,
Arni,
Thiruvannamalai District.

3. The Assistant Engineer,
PWD/WRD, Madhya Pennaiyaru,
Vadinila Irrigation Section,
Polur,
Thiruvannamalai District.

4. The Special Officer,
Block Development office at Polur
Vaziyur Village Panchayat,
Polur Taluk,
Thiruvannamalai District.

5. The Village Administrative Officer,
Vaziyur Village Panchayat,
Polur Taluk,
Thiruvannamalai District.

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorari order to call for records relating to impugned fishery auction notice

dated 16.02.2021 in Ka.No.Ko.15/2021 from the file of the 3rd respondent and quash the same.

For petitioner ... Mr.P.Ganapathy

For respondent ... Mr.M.Loganathan,
Addl. Govt. Pleader for R1 to R3
Mr.K.Parameshwaran,
Govt. Advocate for R4 & R5.

ORDER

The learned Additional Government Pleader appearing for the respondents 1 to 3 drew the attention of this Court to the paragraph No.7 of the counter affidavit filed by the 3rd respondent before this Court and would submit that even before the present writ petition was listed for admission on 25.02.2021 i.e., on 24.02.2021 itself, the auction was conducted under the auction notice dated 16.02.2021 and thereafter the contract was also awarded to the highest bidder by name Iyappan on 24.02.2021. Therefore, he would submit that the only recourse now available to the petitioner if aggrieved is to challenge the contract.

2. The learned counsel for the petitioner is also agreeable to the submission made by the learned Additional Government Pleader for the respondents 1 to 3.

3. After recording the rival submissions made by the learned counsels, this writ petition is disposed of. However, liberty is granted to the petitioner to challenge the contract awarded to Ayyappan on 24.02.2021 by the respondents in accordance with law.

4. The 3rd respondent is directed to serve a copy of the order dated 24.02.2021 by which, Ayyappan has been awarded the said contract. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

vsi2

1. The Executive Engineer,
PWD/WRD, Madhya Pennaiyaru,
Vadinila Irrigation Section,
Thiruvannamalai and District.

2. The Assistant Executive Engineer,
PWD/WRD, Madhya Pennaiyaru,
Vadinila Irrigation Section,
Arni,
Thiruvannamalai District.

3. The Assistant Engineer,
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Vaziyur Village Panchayat,
Polur Taluk,
Thiruvannamalai District.

+1cc to Mr.P.Ganapathy, Advocate SR.No.17434

+1cc to Government Pleader SR.No.17136

W.P. No.4575 of 2021

SKY(CO)
GMY(08/04/2021)

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