



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .Nos.15902 and 15677 of 2021

and

W.M.P. (MD) .Nos.12621, 12623, 12818 and 12819 of 2021

WEB COPY

W.P. (MD) .No.15902 of 2021

S.Prakash

... Petitioner

Vs.

1.The State of Tamil Nadu

Represented by,

The Secretary to Government,

Municipal Administration and Water Supply Department,

State of Tamil Nadu,

Secretariat,

Fort.St.George,

Chennai - 600 009.

2.The District Collector,

Office of the District Collector,

Madurai.

3.The Commissioner of Madurai Corporation,

Office of the Commissioner of Madurai Corporation,

Aringnar Anna Maligai,

Madurai.

4.G.Manikandan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the entire records in connection with the impugned order passed by the third respondent vide his proceedings Ref.No.MA.VA.4/000600/2021 dated --.08.2021 and quash the same and grant a consequential direction to the third respondent to conduct the fresh tender/re-tender for collecting the charges at daily market at Jaihindupuram within the time frame that may be fixed by this Court.

W.P. (MD) .No.15677 of 2021

S.Prakash

... Petitioner

Vs.

1.The State of Tamil Nadu

Represented by, The Secretary to Government,

Municipal Administration and Water Supply Department,

State of Tamil Nadu, Secretariat,

Fort.St.George, Chennai - 600 009.



2.The District Collector,
Office of the District Collector,
Madurai.

3.The Commissioner of Madurai Corporation,
Office of the Commissioner of Corporation,
Madurai.

4.G.Manikandan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents 1 to 3 to cancel the illegal tender and to conduct a fresh tender/re-tender in respect of item No.6-collection of fee at Jaihindpuram daily market, by following the due procedures as contemplated under the Tamil Nadu Tender Transparency Act and Rules, by considering the representation sent by this petitioner dated 27.08.2021.

For Petitioner : Mr.R.Vignesh
for Mr.Niranjana S.Kumar
For R-1 and R-2 : Mr.J.John Rajadurai,
Government Advocate.
For R-3 : Mr.P.Athimoola Pandian
For R-4 : Mr.R.Alagumani
(In both Writ Petitions)

COMMON ORDER

Learned counsel for the writ petitioner made the following endorsement.

W.P(MD) .No.15902 of 2021:

"I may premitted to withdrawn the
Writ Petition in W.P(MD).No.15902 of
2021".

(extracted as such)

W.P(MD) .No.15677 of 2021:

"I may be premit to withdrawn the
Writ Petition in W.P(MD).No.15677 of
2021".

(extracted as such)

2. In view of the same, the Writ Petitions are dismissed. The rights of the fourth respondent in both the Writ Petitions are recognized. I am confident that any amount deposited by the fourth respondent as per directions of this Court and which are repayable by the Corporation would be refunded back to the fourth respondent by the Corporation.



3. In view of the endorsement made by the learned counsel for the petitioner, the Writ Petitions are dismissed as withdrawn. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Nsr/Lm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Municipal Administration and Water Supply Department,
State of Tamil Nadu,
Secretariat,
Fort.St.George,
Chennai - 600 009.
- 2.The District Collector,
Office of the District Collector,
Madurai.
- 3.The Commissioner of Madurai Corporation,
Office of the Commissioner of Madurai Corporation,
Aringnar Anna Maligai,
Madurai.

+1 CC to M/s.SPL GP (SR-35319[F] dated 22/11/2021)

+1 CC to M/s.R. ALAGUMANI, Advocate (SR-35247[F] dated 19/11/2021)

W.P. (MD) .Nos.15902 and 15677 of 2021

19.11.2021

RD(01.12.2021) 3P 6C