



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2021

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THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.18938 of 2021

and

W.M.P (MD) .Nos.15752, 15755 and 15756

WEB COPY

R.Ashok Kumar

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Department of Municipal Administration
and Water Supply,
Fort St.George, Chennai-09.

2.The Commissioner of Municipal Administration,
No.78, Urban Administrative Building,
Santhome High Road, MRC Nagar,
Raja Annamalaipuram, Chennai-28.

3.The Corporation of Madurai,
Rep. by its Commissioner,
Aringar Anna Maligai Outpost,
Thallakulam, Madurai-02.

4.The District Collector,
District Collectorate,
Madurai, Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records pertaining to the impugned tender notification in Vi.Ve.No.199/Se.Ma.tho.A/Madurai dated 01.10.2021 on the file of the third respondent and quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy

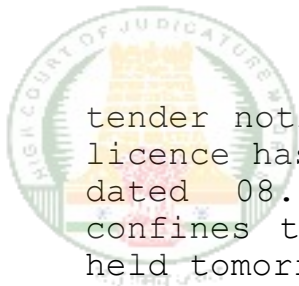
For Respondents : Mr.P.Subbaraj,

Counsel for the State for R1,R2 and R4.
Mr.P.Athimoolapandian for R3.

O R D E R

The petitioner assails a tender notification dated 01.10.2021 by which an auction is scheduled to be held tomorrow.

2.The petitioner is the incumbent licensee in respect of the operation of the two wheeler and cycle parking stand at the Arapalayam Bus Stand. Although the petitioner has assailed the



tender notification on the ground that his request for extension of licence has not been disposed of till date notwithstanding the order dated 08.09.2021 in W.P(MD).No.12795 of 2021, the petitioner confines the relief claimed to participation at the auction to be held tomorrow.

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3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1,2 and 4 and Mr.P.Athimoolapandian, learned Standing Counsel, accepts notice on behalf of the Corporation of Madurai. On instructions, Mr.Athimoolapandian submits that the petitioner is required to apply for a No Due Certificate from the Corporation of Madurai. Such application has not been submitted as of now. If such application is submitted today, the Corporation of Madurai would verify as to whether there are dues payable by the petitioner. If there are no dues, the Corporation of Madurai would issue the No Due Certificate to the petitioner by the end of day. He adds that the representation of the petitioner seeking extension of licence was rejected by the Corporation of Madurai by communication dated 13.10.2021.

4.In view of the submissions of the petitioner and the Corporation of Madurai, it is not necessary to examine the validity of the tender notification. Instead, W.P(MD).No.18938 of 2021 is disposed of with the following directions:

(a)The petitioner is directed to submit an application seeking a No Due Certificate and the relevant tender application on or before 4.00 PM today.

(b)Upon receipt thereof, the Corporation of Madurai is directed to verify as to whether there are any dues from the petitioner. If not, the Corporation of Madurai shall issue a No Due Certificate to the petitioner by end of day today so as to enable his participation at the tender-cum-auction tomorrow.

There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

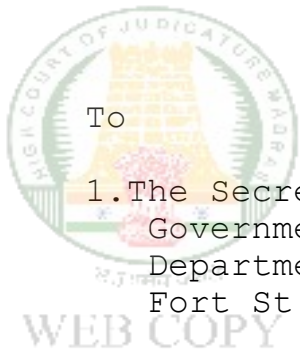
Assistant Registrar (AE)

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/ /2021

Sub Assistant Registrar(CS)

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To

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Government of Tamil Nadu,
Department of Municipal Administration and Water Supply,
Fort St.George, Chennai-09.

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3.The Commissioner,
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District Collectorate,
Madurai, Madurai District.

W.P. (MD) No.18938 of 2021
21.10.2021

DKS (CO) /RS (21.10.2021) 3P 5C