



W.P.No.24131 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.24131 of 2022

Dr.G.D.Sivasankaran

...Petitioner

Vs.

1.The Chief Secretary
Government of Tamilnadu
St.George Fort
Chennai-600 009

2.The District Collector
Collectorate
Thiruvarur-610 004

3.The Director of Panchayats
O/o Director of Panchayats
R.A.Puram
Chennai-600 028

4.The Assistant Director of Panchayats
Collectors office Campus
Tanjore

5.D.Yasotha
Executive Officer
Kudavasal Town Panchayat Office
Kudavasal
Thiruvarur District

... Respondents



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PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the 5th respondent to conduct the auction meeting in the presence of the 2nd respondent at his conference hall (Collectorate) regarding auctioning the 8 shops at the Kudavasal newly constructed bus stand instead of 5th respondent's office in order to prevent unjustified and unlawful action of the 5th respondent and to hold a lawful auction meeting at the date and time fixed by this Court.

For Petitioners : Mr.G.Sundarraaj

For Respondents : Mr.Naveen Kumar, Govt.Advocate
for R1 to 4

Mrs.Meera Arumugam for R5

ORDER

Writ Petition is filed seeking a direction to the 5th respondent to conduct the auction meeting in the presence of the 2nd respondent at his conference hall (Collectorate) regarding auctioning the 8 shops at the Kudavasal newly constructed bus stand instead of 5th respondent's office in order to prevent unjustified and unlawful action of the 5th respondent and to hold a lawful auction meeting at the date and time fixed by this Court.

2. The grievance of the petitioner is that without conducting the auction the shops have been allotted to the existing licensees. Therefore, he



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wants to conduct the auction in the presence of the 2nd respondent.

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3. Learned Government Advocate appearing for the respondents 1 to 4 would submit that the auction notice was issued on 12.08.2021 and the auction date was fixed on 26.08.2021 which ended in failure. Thereafter, election intervened and after the election got over, Panchayat has passed an resolution to allot the shop to the existing licensees and the shops have been allotted. At this stage, there cannot be any mandamus.

4. In such view of the matter, mere issuing of a direction will not serve any purpose. Accordingly, the Writ Petition is dismissed. However, the petitioner if so adviced, he can challenge the allotment as per the law. There shall be no order as to costs.

14.12.2022

kpr

Internet:Yes

Speaking/non-speaking order



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N. SATHISH KUMAR, J.

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To

1.The Commissioner
Greater Chennai Corporation
Rippon Building, Park Town
Chennai-600 003

2.The Executive Engineer
Greater Corporation of Chennai
Town Planning Division
Zone-11
Valasaravakkam, Chennai-600 087

3.The Tamil Nadu Housing Board
CMDA Campus
E&C Market Road
Koyambedu, Chennai-600 107

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