



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.06.2022**

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.10548 of 2012

and

M.P(MD) Nos.1 and 2 of 2012

R.Thangaraj

... petitioner

Vs.

1.The Director of Town Panchayats,
Kuralagam,
Chennai.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Assistant Director,
Town Panchayats,
Sivagangai Regions,
Sivagangai.

4.The Executive Officer,
Sethur Selection Grade Town Panchayat,
Sethur,
Virudhunagar District.

... 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 records pertaining to the impugned resolution No.154 of the fourth respondent dated 30.05.2012 and that of his proceedins in Na.Ka.No.78/2012 dated 18.06.2012 and quash the same and consequently directing the fourth respondent herein to give continuous employment to the petitioner as Driver in the fourth respondent Panchayat under Solid Waste Management Scheme with all attendant benefits.

For Petitioner : Mr.D.Srinivasaraghavan

For Respondents : Mr.N.Muthuvijayan
Special Government Pleader



ORDER

The present writ petition has been filed challenging the resolution passed by the fourth respondent under which they have taken a decision not to confirm the auction proceedings that have taken place, pursuant to the auction Notification dated 31.01.2011.

2. According to the learned counsel for the petitioner, the petitioner was the lowest bidder for Serial No.10 in the said Notification. However, his tender was not confirmed and it was adjourned in the council meeting. Thereafter, the said tender itself was decided to be dropped by the fourth respondent Town Panchayat due to certain political reasons. The writ petitioner has sought to quash the said Panchayat resolution and sought for mandamus to give continuous employment to the petitioner.

3. Considering the fact that the tender is for the period between 2011-2012, any resolution passed by the fourth respondent Panchayat also will have an effect only during the said period and not beyond that. In view of the passage of time, I find that nothing survives in the present writ petition, the Writ Petition is dismissed as infructuous. However, the fourth respondent should see that Solid Waste Management Rules are effectively followed in the said tender notification. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

cp

To

1. The Director of Town Panchayats,
Kuralagam,
Chennai.

2. The District Collector,
Virudhunagar District,
Virudhunagar.



3.The Assistant Director,
Town Panchayats,
Sivagangai Regions,
Sivagangai.

4.The Executive Officer,
Sethur Selection Grade Town Panchayat,
Sethur, Virudhunagar District.

+1 CC to M/s.D. SRINIVASARAGAVAN, Advocate (SR-26365[F] dated 17/06/2022)

+1 CC to M/s.SPL.GP (SR-26731[F] dated 20/06/2022)

Order made in
W.P (MD) No.10548 of 2012
Dated:
17.06.2022

SS/01/07/2022/ 3P 7C