



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.7499 of 2022

Kaliakkavilai Thinasari Santhai
Viyabarigal Nala Sangam,
Rep. by its Secretary S.Sunil,
New No.1-112, St. Anthonyar Complex,
Kaliakavilai Post,
Kanyakumari District.

.. Petitioner

Vs

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Municipal Administration & Water Supply Department,
St. George Fort,
Chennai - 600 009.

2.The Commissioner of Town Panchayat,
Commissionerate of Town Panchayat,
Raja Annamalaipuram,
Chennai - 600 028.

3.The District Collector,
Kanniyakumari District,
Nagercoil.

4.The Assistant Director of Town Panchayat,
Office of Assistant Director of Town Panchayat,
Collectorate, Nagercoil,
Kanniyakumari District.

5.The Executive Officer,
Kaliakavilai Town Panchayat,
Kaliakavilai, Kanniyakumari District.

6.C.Yesubalan

7.Kannan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to conduct enquiry and take appropriate action against the 6th and 7th respondents for the irregularities committed by the 6th and 7th respondents during tender cum auction conducted on 20.03.2022 and other malpractices in light of letter No. 11918/Peru-4/2021-1, dated 02.07.2021, by considering petitioners representation, dated 05.05.2021, within the time stipulated by this Court.



For Petitioner : Mr.N.Mohideen Basha
For Respondents : Mr.M.Lingadurai for R1 to R5
Special Government Pleader

ORDER

WEB COPY

This writ petition has been filed by an Association representing the Traders, who are regularly participating in the auction conducted by the respondents.

2.The petitioner has alleged certain irregularities in the conduct of the auction by the respondents. The petitioner has given representations on various dates and the last such representation was given on 22.12.2021, alleging irregularities in the auction conducted by the respondents and calling upon the second respondent to take action. Since the representations have not been considered till date, they have filed this writ petition. The details of the irregularities are mentioned in the representation as well as in the affidavit filed in respect of this writ petition.

3.Heard Mr.N.Mohideen Basha, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 5.

4.No prejudice will be caused to the official respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.

5.For the foregoing reasons, this Court directs the third respondent to consider the petitioner's representation, dated 22.12.2021, seeking for legal action in respect of the alleged irregularities committed by the 6th and 7th respondents, while they were in office and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of three months, from the date of receipt of a copy of this order.

6.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

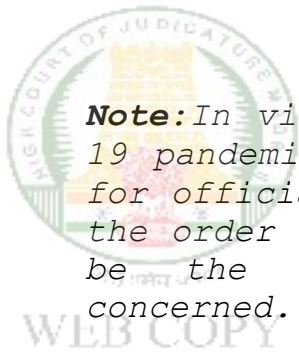
// True Copy //

04/05/2022

Sub Assistant Registrar(CS)

TM

<https://hcservices.ecourts.gov.in/hcservices/>



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,
Government of Tamil Nadu,
Municipal Administration & Water Supply Department,
St. George Fort,
Chennai - 600 009.
- 2.The Commissioner of Town Panchayat,
Commissionerate of Town Panchayat,
Raja Annamalaipuram,
Chennai - 600 028.
- 3.The District Collector,
Kanniyakumari District,
Nagercoil.
- 4.The Assistant Director of Town Panchayat,
Office of Assistant Director of Town Panchayat,
Collectorate, Nagercoil,
Kanniyakumari District.
- 5.The Executive Officer,
Kaliakavilai Town Panchayat,
Kaliakavilai, Kanniyakumari District.

+1 CC to M/s.SPL.GP (SR-20117[F] dated 21/04/2022)

W.P. (MD)No.7499 of 2022
20.04.2022

SRR(CO)
KB(05.05.2022) 3P 7C