



W.P.(MD).No.26152 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2022

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.(MD).No.26152 of 2022

and

W.M.P.(MD).Nos.20313 and 20316 of 2022

Kamaraj

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Chennai- 600 034.

2.The Executive Officer,
Arulmighu Kasi Vishwanatha Swamy Thirukovil,
Kumbakonam,
Thanjavur District.

3.The District Collector,
Thanjavur District.

4.The Commissioner,
Kumbakonam Municipality,
Kumbakonam,
Thanjavur 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 of the impugned tender documents and its annexures of the 2nd



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respondent dated 11.08.2021, quash the same and direct the respondents 1 and 2 to refund the sum of Rs.12,12,956/- to the petitioner with 12 percent on and from 11.08.2021 till the date of payment, within a time frame to be fixed by this Court.

For Petitioner	: Mr.T.S.R.Venkatramana
For R-1 and R-3	: Mr.P.Subbaraj, Special Government Pleader.
For R-2	: Mr.V.Chandrasekar
For R-4	: Mr.Rajarajan

ORDER

The Writ Petition is filed challenging the impugned tender documents and its annexures of the 2nd respondent dated 11.08.2021 and to direct the respondents 1 and 2 to refund the sum of Rs.12,12,956/- to the petitioner with 12% on and from 11.08.2021 till the date of payment within a time frame to be fixed by this Court.

2. Today when the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 and 3 produced a copy of the communication dated 28.11.2022 and would submit that the Respondents shall act on the representation of the petitioner dated 13.12.2021.



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3. It is submitted by the learned counsel for the second respondent that the representation of the petitioner dated 13.12.2021 would be considered and orders would be passed accordingly, after putting the petitioner on notice.

4. It is submitted by the learned counsel for the petitioner that the petitioner intends to hand over the keys of the vacant premises to the Respondents as the petitioner is unable to use the property in T.S.No.429, Shop No.4, Melkarai Mahamahakulam, Kumbakonam. It is open to the Respondents to accept the same and use it for the purpose which they are otherwise entitled to in accordance with law including re-auctioning the property. It is further submitted by the learned counsel for the petitioner that if the deposit is refunded, the petitioner would waive the interest and also agrees to deduction of rentals from October 2021 to November 2021 at the rate of Rs.3800/- per month.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

28.11.2022

Index : Yes / No
Internet : Yes/ No
Lm



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Note: Issue order copy by 30.11.2022.

WEB COPY

To

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Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Chennai- 600 034.
2. The Executive Officer,
Arulmighu Kasi Vishwanatha Swamy Thirukovil,
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MOHAMMED SHAFFIQ, J.

Lm

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