



WEB COPY



WP.No.2740 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUIMAR

WP.No.2740 of 2023

B.Muthukumar

.. Petitioner

Versus

1.The Member Secretary
Chennai Metropolitan Development Authority
Construction Wing, Tower – III
E Road, Opp to Koyambedu Fruit Market
Koyambedu, Chennai – 600 107

2.The Superintending Engineer/Estate Officer
Construction Wing, Chennai Metropolitan Development
Authority Tower-II, CMDA
Egmore, Chennai – 600 008

3.Sirigiri Chitti
4.Sirigiri Seshiah
5.Sirigiri Swathi
6.Sirigiri Ramprasad

7.The Chairperson
TANTEA
Secretariat
Chennai – 600 009

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first and second respondent to conduct the Tender cum Auction for the commercial shops bearing No.A1 and A3 located at Madhavaram Moffusil Bus Terminus, Madhavaram at the earliest to provide the shops upon monthly rental basis for carrying out commercial activity.



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For Petitioner : Mr.S.Makesh
For Respondent : Mrs.R.Revathi for R1 & R2
Government Advocate

ORDER

This writ petition is filed seeking to direct the first and second respondent to conduct the Tender cum Auction for the commercial shops bearing No.A1 and A3 located at Madhavaram Moffusil Bus Terminus, Madhavaram at the earliest to provide the shops upon monthly rental basis for carrying out commercial activity.

2. It is the grievance of the writ petitioner is that he is working as helper assistant in commercial shop of lessee of the respondents 1 and 3 at Madhavaram Moffusil Bus Terminus at Chennai. There are 10 shops in the Madhavaram bus stand for which the respondents 1 and 2 called for Tender Cum Auction in the year 2019. After the process of auction, the shops were allotted under the 11 months lease agreement. While so, one Mr.Karuppaiah was allotted a shop. The said Mr.Karuppaiah provided a copy of the letter dated 20.10.2022 addressed by the first respondent that his license has been cancelled and the above shop was re-alloted to the fourth respondent during the year 2020. Similar other shops were also allotted to others.

3. It is the grievance of the petitioner that without conducting public

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auction, the shops have been allotted, whereas, the counsel appearing for the respondents 1 and 2, on instructions, submitted that the shops have been allotted by following the Rules and also by inviting tender; still there are four shops available and the same will be auctioned in the due course by following procedures.

4. Such view of the matter, for the remaining shops available, this Court directs the official respondents to follow the procedure by inviting the tender without any further delay. Accordingly, this writ petition stands disposed of. No costs.

09.02.2023

dhk

Index:Yes/No

Internet: Yes/No

To

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N.SATHISH KUMAR, J.



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3.The Chairperson
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