



WEB COPY



W.P.No.6205 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 28.02.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**WP.No.6205 of 2023 & WMP.No.6208 of 2023**

N.Kumar

... Petitioner

Vs

1. The District Collector,  
Salem District, Salem.
2. The Assistant Director of Town Panchayat,  
Salem District, Salem.
3. The Executive Officer,  
Mecheri Town Panchayat,  
Mettur Taluk, Salem District.

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned auction notice in Na.Ka.No.01/2023 dated 10.02.2023 passed by the third respondent and quash the same and consequently directing the third respondent to extend the lease time for further two years, for collecting toll in Mecheri Town Panchayat Bust stand pay and use toilet in pursuance of petitioner's representation dated 25.02.2023.



WEB COPY



W.P.No.6205 of 2023

For Petitioner : Mr.C.Depak Kumar

For Respondents : Mr.N.Nveenkumar,  
Government Advocate – R & R2

Mrs.P.Rajarajeswari  
Government Advocate – R3

### **ORDER**

This Writ Petition has been filed to quash the impugned auction notice dated 10.02.2023 passed by the third respondent and consequently direct the third respondent to extend the lease time for further two years, for collecting toll in Mecheri Town Panchayat Bust stand pay and use toilet in pursuance of representation of the petitioner dated 25.02.2023.

2. Today, when the matter is taken up for hearing, the learned Government Advocate appearing for the third respondent, on instructions, submitted that the tender scheduled has been postponed.

3. In such view of the matter, fresh notification shall be given by the respondents following the rules governing tender and the petitioner may participate in the auction. As the lease period is already over, under the



W.P.No.6205 of 2023

WEB COPY

pretext of waiver, the petitioner cannot squat in the property and the respondents are at liberty to bring the property for auction.

4. With the above directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

**28.02.2023**

Index: Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The District Collector,  
Salem District, Salem.
2. The Assistant Director of Town Panchayat,  
Salem District, Salem.
3. The Executive Officer,  
Mecheri Town Panchayat,  
Mettur Taluk, Salem District.



WEB COPY



W.P.No.6205 of 2023

**N.SATHISH KUMAR, J.**

VTC

**WP.No.6205 of 2023**

**28.02.2023**