



W.P.Nos.8749, 8750, 8752
& 8754 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.Nos.8749, 8750, 8752 & 8754 of 2023

and

W.M.P.Nos.8932, 8934, 8937 & 8939 of 2023

1. Parameshwaran
2. Gnanaprakasam
3. C.Subramani
4. N.Murugaesan
5. M.Kumar
6. Nadesan
7. Vasantha Kumar
8. Selvaraj
9. Kumaravel
10. S.Ramesh
11. Kaliyappan

...Petitioners in W.P.No.8749 of 2023

1. Selvaraj
2. Rani
3. Saravanan
4. Magibalan
5. Mallika
6. Aananthi
7. Seivam

...Petitioners in W.P.No.8750 of 2023



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1. Vijaya
2. Selladurai
3. Saraswathi
4. Kalyani
5. Kalavathi
6. A.Malliga
7. Manga
8. Gemini
9. Rathnavel
10. Subramani
11. Kalaimani
12. Udhayasooriyan
13. Sagunthala
14. Murugesan
15. Selvaraj
16. Ganesan
17. Krishnan
18. Venkatachalam
19. Prabhu Kumar
20. Mariappan
21. Prabhu
22. Dinesh Kumar
23. Sathish

...Petitioners in W.P.No.8752 of 2023

1. Sathish
2. Gopalan
3. Malliga
4. Ramachandran
5. P.M.Senthil Kumar
6. Poongodi
7. Loganathan
8. Parvathy
9. S.K.Gopal
10. Sivakumar



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11. Kumar
12. Perumal
13. Rathinavel
14. Ashok
15. Shanmugasundaram
16. Santhalakshmi
17. Ramesh
18. Ravi
19. Pappathi
20. Malliga
21. Koothappan
22. Gopalan
23. Dharmalingam
24. Kalavathy
25. Raja
26. Saravanan

...Petitioners in W.P.No.8754 of 2023

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Municipal Administration and Water Supply Department
Fort St. George
Chennai – 600 009.
2. The Commissioner of Municipal Administration
Municipal Administration Department
Ezhilagam Annexe - 6th Floor
Chepauk,
Chennai – 600 005.
3. The President
Mecheri Town Panchayat
Salem.



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4. The Executive Officer,
Mecheri Town Panchayat,
Salem.

...Respondents in all W.P. Nos.

Prayer in W.P. No.8749 of 2023: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that the notification dated 10.02.2023 bearing Ref No.Na.Ka.No.01/2023 published by the respondents 3 & 4 in Dhina Thanthi daily news paper dated 24.02.2023 notifying the auction for allotment of the petitioners shops situated in N.R.E.P Shops area, Mecheri, Salem as illegal and arbitrary and contrary to G.O.M.S No.92 dated 03.07.2007.

Prayer in W.P. No.8750 of 2023: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that the dated 10.02.2023 bearing Ref No.Na.Ka.No.01/2023 published by the respondents 3 & 4 in Dhina Thanthi daily news paper dated 24.02.2023 notifying the auction for allotment of the petitioners shops situated in Aluvazhaga Kadaigal, Mecheri, salem in Na.Ka.Na.01/2023 as illegal and arbitrary and contrary to G.O.Ms.No.92 dated 03.07.2007.



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Prayer in W.P. No.8752 of 2023: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that the dated 10.02.2023 bearing Ref No.Na.Ka.No.01/2023 published by the respondents 3 & 4 in Dhina Thanthi daily news paper dated 24.02.2023 notifying the auction for allotment of the petitioners shops situated in Perunthu Nilaiya Merkupaguthi Kaliyida Kadaigal area, Mecheri, Salem, as illegal and arbitrary and contrary to G.O.M.S No.92 dated 03.07.2007.

Prayer in W.P. No.8754 of 2023: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that the dated 10.02.2023 bearing Ref No.Na.Ka.No.01/2023 published by the respondents 3 & 4 in Dhina Thanthi daily news paper dated 24.02.2023 notifying the auction for allotment of the petitioners shops situated in Perunthu Nilaya Kadaigal area, Mecheri, Salem, as illegal and arbitrary and contrary to G.O.M.S No.92 dated 03.07.2007.



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For Petitioners : Mr.T. Saikrishnan
(in all W.P.s)

For Respondents : Mr.C.Selvaraj
(in all W.P.s) Additional Government Pleader
(R1 and R2)

: Mrs. S. Mythreye Chandra
Special Government Pleader
(R3 and R4)

COMMON ORDER

These Writ Petitions are filed challenging the auction notice issued by the fourth respondent dated 10.02.2023.

2. Mr.C.Selvaraj, learned Additional Government Pleader takes notice for the respondents 1 & 2 and Mrs.S.Mythreye Chandra, learned Special Government Pleader takes notice for the respondents 3 & 4.

3. When these matters are taken up for hearing, the learned Special Government Pleader appearing for respondents 3 and 4, submitted that the fourth respondent will not proceed with the impugned notification dated



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10.02.2023. The learned counsel further submitted that the petitioners will be allowed to continue in the premises till 31.03.2023 and fresh auction notice will be issued only after March 2024. The said statement is recorded.

4. In view of the submission made by the fourth respondent nothing survives in the Writ Petitions. Hence, the Writ Petitions are dismissed as infructuous. In case any tender notification is issued by the fourth respondent after March 2024, the petitioners are entitled to participate. It is needless to say that the petitioners shall pay the agreed rent till March 2024.

5. With the above observations, these Writ Petitions are dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

29.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna



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S.SOUNTHAR, J.
dna

To

1. The Secretary to Government
Municipal Administration and Water Supply Department
Fort St. George
Chennai – 600 009.
2. The Commissioner of Municipal Administration
Municipal Administration Department
Ezhilagam Annexe - 6th Floor
Chepauk,
Chennai – 600 005.
3. The President
Mecheri Town Panchayat
Salem.
4. The Executive Officer,
Mecheri Town Panchayat,
Salem.

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