



WEB COPY



W.P.No.19650 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.19650 of 2023
and W.M.P.No.18909 of 2023

R.Ilayaraja

... Petitioner

Vs.

1.The Executive Engineer
Public Works Department (WRD)
Sarabanga Vadinila Kottam
S.K.Garden, 2nd Floor, 2nd Street
Annathanampatty
Salem

2.The Assistant Executive Engineer
Public Works Department (WRD)
Sarabanga Vadinila Sub-Kottam
Attur Town
Salem District

3.The Assistant Engineer
Public Works Department (WRD)
Sarabanga Vadinila Sub-Kottam
Thammampatty
Gangavalli Taluk
Salem District

... Respondents



W.P.No.19650 of 2023

PRAYER: The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus, to direct 2nd respondent to consider the petitioner's representation dated 19.06.2023 to extend the lease period from 31.03.2023 to 31.03.2024 for fishing rights from Sentharpatty Tank, Gangavalli Taluk, Salem District.

For Petitioner : Mr.L.Rajendran

For Respondents : Mr.C.Kathiravan
Spl. Government Pleader

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner was a successful bidder in an auction held on 31.01.2023 and was awarded a contract for fishing in Sentharpatty Tank. He deposited a sum of Rs.1,58,500/- towards the auction value. He commenced his activity on 01.02.2023 and it is barely 3 ½ months, but the respondents inform the petitioner that his term will end by 30.06.2023. According to the petitioner, lease period was from 01.07.2022 to 30.06.2023, which commenced some six months prior to the very auction.



W.P.No.19650 of 2023

3. Heard Mr.C.Kathiravan, the learned Special Government Pleader for the respondents.

4. Learned Special Government Pleader circulated a copy of the tender notification dated 23.01.2023 and very curiously it states that auction will cover a period from 01.07.2022, which on the date of notification has little relevance. The auction is for one year period and the auction amount is also made for one year. *Prima facie* this court finds that the auction as has been managed by the authorities is shocking to say the least as it takes the interests and the rights of the citizen who participate in the auction very casually.

5. This court requires the 1st respondent to take note of this and decide on the representation of the petitioner dated 19.06.2023 within a period of four (4) weeks from today. Till such time, there shall be an order of injunction, restraining the authorities from interfering with the enjoyment of the lease granted to the petitioner till the disposal of his representation dated 19.06.2023.



W.P.No.19650 of 2023

N.SESHASAYEE, J.

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6.The writ petition stands disposed of accordingly. No costs. Consequently,
the connected miscellaneous petition is closed.

10.07.2023

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Index : Yes / No

Neutral Citation : Yes / No

To

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