



W.P(MD)No.3603 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3603 of 2023

and

W.M.P.(MD)Nos.3353 and 3354 of 2023

C.Kuttappan

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Assistant Director of Town Panchayat,
Nagercoil, Kanyakumari District.

3.The Executive Officer,
Kaliakkavilai Selection Grade Town Panchayat,
Kaliakkavilai, Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned auction tender notification in Na.Ka.No.82/2023/A2 dated 02.02.2023 issued by the 3rd respondent and quash the same and subsequently direct the 3rd respondent to fix separate market fees structure for the business activities of the Padanthalmoodu Evening Vegetable and Fish Market, Kanyakumari District by following due process of law.



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For Petitioner : Mr.V.Sukumar

For Respondents : Mr.M.Lingadurai,
Spl. Government Pleader for R1 & R2.
Mr.V.Om.Prakash,
Government Advocate for R3.

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the impugned tender notification solely on the ground that the rate per cattle has not been set out in the tender notification. He drew my attention to the tender notification issued on 04.03.2020. In the said tender notification, the rate per cattle has been fixed at Rs.75/-. However, in the impugned tender notification, there is no mention of rate per cattle. I called upon the learned Special Government Pleader to clarify the position. After getting instructions, the learned Special Government Pleader clarified that the rate per cattle has been maintained at the old rate of Rs.75/- per cattle. This should address the concerns expressed by the writ petitioner.

3.The writ petitioner is not interested in taking part in the tender process. Therefore, he has no *locus standi* to maintain the present writ petition. Liberty



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is given to the petitioner to question the rates fixed for the items traded in the market. The writ petition is disposed of with the aforesaid clarification. No costs. Consequently, connected miscellaneous petitions are closed.

22.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

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G.R.SWAMINATHAN, J.

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