



W.P.(MD) No.9342 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.9342 of 2020

and

W.M.P.(MD)No.8497 of 2020

N.Ramanathan

... Petitioner

-Vs-

1.The Director,

Directorate of Rural Development and Panchayat Raj,
Panagal Maligai, Saidapet, Chennai-15.

2.The Assistant Director of Panchayats,

Collectorate Campus, Thanjavur & District.

3.The District Collector,

Thanjavur.

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4.The Block Development Officer,
Orathanadu, Thanjavur District.

5.The President,
Vadaseri Panchayat,
Orathanadu, Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take action to cancel the shops constructed at Vadaseri bus stand and allotted to the individuals without following and violating the public auction process and call for public auction and take departmental action against the 4th respondent and other erring officials, who facilitated the illegal acts within a time frame that may be fixed by this Court.

For Petitioner	: Mr.A.Rahul for Mr.S.Siva Ilayaraja
For R1 to R3	: Mr.K.Balasubramani, Special Government Pleader
For R4 & R5	: No Appearance



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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed, seeking issuance of a Writ of Mandamus, directing the respondents to take action to cancel the shops constructed at Vadaseri Bus Stand and allotted to the individuals without following and by violating the public auction process and call for public auction and take departmental action against the 4th respondent and other erring officials, who facilitated the illegal acts, within a time frame that may be fixed by this Court.

2.Today, when the matter was taken up for hearing, the learned Special Government Pleader for the respondents 1 to 3 has produced a status report and submitted that auction was conducted for 7 shops vide proceedings in Na.Ka.No.1950/2016/A2, dated 06.09.2019. Originally, 14 persons participated in the tender process for letting out the said shops and accordingly, 7 highest bidders were allotted the shops on rental basis from 01.10.2019 till 30.09.2020. Based on the aforesaid lease, possession has also been handed over to the allottees. During Covid-19 Pandemic situation, the said allottees filed W.P.(MD)No.11195 of 2020, seeking extension of six months time, wherein, this

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Court, by an order dated 01.10.2020, granted six months time from 01.10.2020 to 31.03.2021. Thereafter, the said shops were brought for public auction on 20.07.2021 for a period of three years and possession of the said shops was granted to the allottees, for which, except the allottees in Shop Nos.3 and 6, other allottees defaulted in payment of the monthly rent for their respective shops and therefore, their allotment was cancelled. Hence, the shop Nos.1, 2, 4, 5 and 7 were once again brought for fresh auction on 24.03.2022 for the period of three years and possession was also handed over to the allottees.

3.In view of the aforesaid submission made by the learned Special Government Pleader for the respondents 1 to 3, nothing survives in this Writ Petition. Accordingly, this Writ Petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
02.01.2023

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

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