



W.P.(MD)Nos.11327 to 11331 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.11.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)Nos.11327 to 11331 of 2021

and

W.M.P.(MD)Nos.8842 to 8846, 8848, 8850, 8851, 8854 & 8856 of 2021

R.R.Jeyaram Sundar	... Petitioner in W.P.(MD)No.11327 of 2021
Gunasekaran	... Petitioner in W.P.(MD)No.11328 of 2021
Sukanya	... Petitioner in W.P.(MD)No.11329 of 2021
G.Nallammal	... Petitioner in W.P.(MD)No.11330 of 2021
Suresh	... Petitioner in W.P.(MD)No.11331 of 2021

vs.

The Commissioner,
Theni Allinagaram Municipality,
Theni. ... Respondent in all cases

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for records to impugned Notification issued by the respondent in Na.Ka.No. 1362/2021/A3, dated 15.06.2021 and to quash the same as illegal.

For Petitioner	:Mr.M.Mahaboob Athiff
For Respondent	:G.Kaleeswaran
	(in all cases)



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COMMON ORDER

The subject matter of challenge in all these Writ Petitions pertains to the impugned tender notification issued by the respondents, dated 15.06.2021.

2. When the matter came up for hearing on 08.07.2021, this Court passed the following order:

“Mr.M.Lingadurai, learned Government Counsel, takes notice for the respondent.

2.The learned counsel for the petitioners submitted that even though the auction was slatted to be held, on 07.07.2021, the same has been postponed. The main ground that has been taken by the petitioners while challenging the Tender-cum-Public Auction is that the same is in violation of Rule 52-6 (A) of the Tamil Nadu District Municipalities Rules. To substantiate the same, reliance is placed upon the Division Bench Judgment of this Court in W.A.Nos.1489 and 1490 of 2003, dated 19.02.2008, which was subsequently followed in W.P.(MD).No.2065 of 2012, dated 10.09.2012. 3.The learned Government Counsel shall take instructions and report before this Court as to how the respondent is proceeding further with the Tender-cum-Public Auction without complying with the above said Rule. The learned Government Advocate shall also take instructions as to why G.O.Ms.No.92, Municipal Administration and Water Supply Department, dated 03.07.2007, has not been applied in the present case, while the petitioners have already made a representation seeking for renewal of the lease.

4.Post the matter after two weeks.

5.In the meantime, the respondents are directed not to proceed further with the tender.”



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3. When the matter was taken up for hearing today, the learned Standing Counsel appearing on behalf of the respondent submitted that the notification itself was withdrawn.

4. Recording the above, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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

30.11.2023

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N.ANAND VENKATESH, J.

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