



W.P.(MD) Nos.8350 of 2018 and 11174 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD) Nos.8350 of 2018 and 11174 of 2019
and W.M.P(MD).Nos.7908 and 7909 of 2018 and 12166 of 2018 and
8544, 8545 of 2019

Prayer in W.P(MD).No.8350 of 2018

N.Vijayakumar

.. Petitioner

Vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The Assistant Director of Panchayat,
Collectorate, Tirunelveli.

3.The Executive Officer,
Thisayanvilai Selection Grade Town Panchayat,
Thisayanvilai, Radhapuram Taluk,
Tirunelveli District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Tender Notification in Na.Ka.No.29/2018 dated 28.03.2018 issued by the third respondent



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Panchayat and quash the same as bad in law and consequently direct the third respondent to issue afresh Tender-cum-Auction Notification fixing the value of the procurement and earnest money as per the Tamil Nadu Transparency in Tenders Act, 1998 and the Tamil Nadu Transparency Tenders Rules 2000.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.G.Suriyanath
Additional Government Pleader

Prayer in W.P(MD).No.11174 of 2019

N.Vijayakumar

.. Petitioner

Vs.

1.The Assistant Director of Panchayat,
District Collector Office,
Tirunelveli District,
Tirunelveli.

2.The Executive Officer,
Thisayanvilai Selection Grade,
Town Panchayath,
Thisayanvilai (Taluk),
Thisayanvilai,
Tirunelveli District.

3.S.Kumar

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned proceedings of the second respondent in Na.Ka.No.42/2019 dated 07.03.2019 in favour of the third respondent and quash the same as illegal and consequently direct the respondents 1 and 2 to conduct Fresh Tender in respect of (a) Entry Fees for the vehicles in Bus stand (b) Unisex Public Toilet Fee in Thisayanvilai Bus Stand within the time stipulated by this Court.

For Petitioner : Mr.S.Sivathilakar

For Respondents : Mr.J.K.Jeyaseelan
Government Advocate
for R1 and R2
No appearance for R3

COMMON ORDER

These Writ Petitions have been filed by one N.Vijayakumar, who is the then Contractor under the Executive Officer, Thisayanvilai Selection Grade Town Panchayat, Thisayanvilai, Radhapuram Taluk, Tirunelveli District, for collection of entrance fees and public toilet fees in the bus stand.



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2. The petitioner has filed a writ petition in W.P.(MD).No.8350 of 2018, challenging the tender notification issued by the Executive Officer, Thisayanvilai Selection Grade Town Panchayat, Thisayanvilai, Radhapuram Taluk, Tirunelveli District for the year 2018-2019. The subsequent writ petition in W.P.(MD).No.11174 of 2019 was filed challenging the proceedings dated 07.03.2019, granting permission to the third respondent to collect the toll fees for the period 2019-2020.

3. When the matters are taken up for hearing, the learned Additional Government Pleader appearing for the respondents submits that in respect of W.P.(MD).No.8350 of 2018, the tender was allotted to one S.Kumar, the third respondent in W.P.(MD).No.11174 of 2019 and with regard to W.P.(MD).No.11174 of 2019, the extension of tender was granted to the third respondent, as per G.O.Ms.No.181, Municipal Administration and Water Supply Department, dated 19.09.2008. Therefore, nothing survives for adjudication in these Writ Petitions.



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4. Recording the submission made by the learned Additional Government Pleader appearing for the respondents, these Writ Petitions are closed. There shall be no order as to costs. Connected miscellaneous petitions are closed.

06.12.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes

ssb

To

- 1.The District Collector,
Tirunelveli District, Tirunelveli.
- 2.The Assistant Director of Panchayat,
Collectorate, Tirunelveli.
- 3.The Executive Officer,
Thisayanvilai Selection Grade Town Panchayat,
Thisayanvilai Radhapuram Taluk,
Tirunelveli District.



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B.PUGALENDHI, J.

ssb

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