



W.P.(MD)No.26692 of 022 & W.P(MD)No.4560 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.26692 of 2022

and

W.P(MD)No.4224 of 2023

and

W.M.P.(MD)Nos.20887 of 2022

and

W.M.P.(MD)No.4010 and 4011 of 2023

W.P.(MD)No.26692 of 2022:-

V.Irulappan

... Petitioner

Vs.

The Commissioner,
Dindigul Corporation,
Dindigul.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the Impugned Order passed by the Respondent in Na.Ka.No.10193/2017/A7 dated 22.11.2022 and quash the same and further directing the Respondent Corporation to grant license to the Petitioner and to permit the Petitioner to start the work of collecting entry fee in Gandhi Ground Daily Market at Dindigul on receiving the balance first year license fee of Rs.15,00,000/- considering the petitioner's representation dated 17.11.2022.



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W.P.(MD)No.26692 of 022 & W.P(MD)No.4560 of 2023

For Petitioner : Mr.C.Abulkalam Azax

For Respondent : Mr.R.Baskaran,
Addl. Advocate General,
Asst. by Mr.M.Thirunavakkarasu,
Standing Counsel.

W.P.(MD)No.4224 of 2023:-

V.Irulappan

... Petitioner

Vs.

The Commissioner,
O/o.Dindigul Corporation,
Dindigul District.

... Respondent

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 entire records relating to the impugned Public Auction / Tender notification by the Respondent in Na.Ka.No.8880/2017/A7 dated 17.02.2023 inviting for Public Auction / Tender with regard to collection of entry fee in Gandhi Ground Daily Market at Dindigul and published in the Times of India Daily News Paper on 22.02.2023 for the auction / tender to be held on 09.03.2023 and Quash the same and consequently directing the Respondent to grant license to the petitioner and permit him to start the work of collecting entry fee in Gandhi Ground Daily Market at Dindigul on receiving the balance first year fee of Rs.15,00,000/- by considering the petitioner representation dated 17.11.2022.

For Petitioner : Mr.C.Abulkalam Azax

For Respondent : Mr.R.Baskaran,
Addl. Advocate General,
Asst. by Mr.M.Thirunavakkarasu,
Standing Counsel.



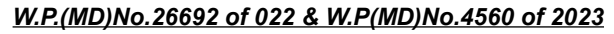
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COMMON ORDER

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Heard the learned counsel for the petitioner and the learned Additional Advocate General assisted by the learned standing counsel for the respondent corporation.

2.The respondent corporation issued notification inviting bids for issuance of license for collecting user charges from Gandhi Market for the year 2020-2023. The petitioner was the highest bidder in the auction conducted on 19.03.2020. The petitioner was directed to deposit a sum of Rs.75 Lakhs within the time stipulated therein. He deposited a sum of Rs.75 Lakhs on 18.03.2020. However, the petitioner did not enjoy the fruits of the tender due to Covid-19 pandemic. The corporation issued order directing cancellation of the petitioner's license. Before doing so, the respondents gave sufficient time to the petitioner to pay the balance amount. The petitioner could not comply with the same. In these circumstances, the respondent corporation decided to cancel the petitioner's license on 17.11.2022 and it has issued new tender notification for the year 2023 – 2026. The last date for submission of the tenders is 07.03.2023. At this stage, the present writ petition has been filed questioning the impugned tender process.



4. These writ petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 07.03.2023.



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G.R.SWAMINATHAN, J.

ias

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and
W.P(MD)No.4224 of 2023**

03.03.2023