



W.P.(MD)No.28639 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.08.2023

CORAM

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P(MD)No.28639 of 2022

and

W.M.P.(MD) No.22668 of 2022

P.Saravanan

... Petitioner

Vs.

- 1.The Secretary to Government,
Finance Department,
Fort St. George,
Chennai – 600 009.
- 2.The Secretary to Government,
Municipal Administration, Urban and
Water Supply Department,
Fort St. George,
Chennai – 600 009.
- 3.The Commissioner of Municipal Administration,
O/o. the Commissioner of Municipal Administration,
No.78, Urban Administrative Building,
Santhome High Road,
Chennai – 600 028.
- 4.The District Collector,
Kanyakumari District,
at Nagercoil.



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5.The Assistant Director of Town Panchayat,
Collector Office Campus,
Nagercoil,
Kanyakumari District.

6.The Executive Officer,
Kanyakumari Special Grade Town Panchayat,
Kanyakumari,
Kanyakumari District.

7.M.H. Nazar

8.M. Ranjith Kumar

9.G. Johnson ... Respondents
(R7 to R9 are impleaded vide Court Order
dated 17.07.2023 in WMP(MD) No.14373/2023
in W.P.(MD) No.28639/2023 by SSSRJ & DBCJ)

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents Nos.1 to 5 to consider the representation dated 01.12.2022 made by the petitioner herein to conduct public auction of the entire commercial establishment shops of the 6th respondent Special Grade Town Panchayat, Kanyakumari, Kanyakumari District and pass appropriate orders within stipulated time period as may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Utchimakali

For Respondents 1 to 6 : Mr.P.Thilak Kumar
Government Pleader



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For Respondents 7 to 9 : Mr.S.Rajasekar
M/s.Lajapathi Roy

* * *

ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

The Writ Petition is filed for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to consider the representation dated 01.12.2022, made by the petitioner herein to conduct public auction of the entire commercial establishment shops of the 6th respondent Special Grade Town Panchayat, Kanyakumari, Kanyakumari District, and pass appropriate orders within a time frame.

2. The petitioner's grievance is that the respondents should conduct public auction of the shops belonging to the 6th respondent afresh as the tenants are occupying the same for more than 25 years without any public auction and that the local body is unable to get the lease amount or rent at the market rate.

3. In the status report dated 05.01.2023, filed by the 6th respondent, it is stated that the lease period has ended by the end of



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March, 2023 and that the 6th respondent has taken steps to conduct fresh auction following G.O.Ms.No.92, Municipal Administration and Water Supply Department, dated 03.07.2007.

4. Since the prayer in the Writ Petition has been conceded, the Writ Petition is disposed of recording the statement of 6th respondent to go for auction in terms of G.O.Ms.No.92, Municipal Administration and Water Supply Department, dated 03.07.2007. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

[S.S.S.R., J.] [D.B.C., J.]
01.08.2023

NCC : Yes / No
Index : Yes / No
sj

To

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Chennai – 600 009.
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3. The Commissioner of Municipal Administration,
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and

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sj

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