



W.P.No.8052 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

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K.Megala

.... Petitioner

Vs

1. State of Tamil Nadu
rep by its Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai - 600 009.

2.The Collector / Inspector of Panchayat,
Salem District,
Salem.

3.The Director of Town Panchayat,
Directorate of Rural Administration,
MRC Nagar,
Raja Annamalai Puram,
Chennai - 600028.

4. The Special Officer and Assistant Director,
Directorate of Town Panchayats,
Salem Region, Salem - 636 001.

5.The Executive Officer,
Selection Grade Town Panchayat,
Tharamangalam, Omalur Taluk,
Salem District.



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6.R. Rajasekaran

7.Kalai Construction,
15th Ward, Vetnikaradu,
Tharamangalam, Omalur Taluk,
Salem District.

8.S. Subramani

9.S. Sridevi

10.S. Selvaraj

11.R. Aiyanar

12.A. Dhanasekar

13.M. Ganesan

14.G. Gokulraj

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 5 to cancel the allotment of the Bus Stand Shops in Shop Nos. 1, 2, 3, 4, 8, 9, 11,12,13,15 and Mutton Stall in shop No.7 belongs to the 5th respondent panchayat situated at Tharamangalam Bus Stand, Tharamangalam, Omalur Taluk, Salem District made in favour of the respondents 6 to 14 and conduct fresh public auction for the above shops based on the representation given by the petitioner dated 29.10.2020 by following the procedure laid down under the Tender Transparency Act and Tamil Nadu Panchayats (Procedure for conducting public auction of lease and sale in the panchayats) Rules 2001.

For Petitioner	: Mr.S.Doraisamy
For R1 to R4	: Mr.C.Kathiravan Special Government Pleader
For R5	: Mr.D.Suryanarayanan
For R6 to R14	: Mr.N.S.Suganthan



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ORDER

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This Writ Petition has been filed for a direction, directing the respondents 1 to 5 to cancel the allotment of the Bus Stand Shops in Shop Nos. 1, 2, 3, 4, 8, 9, 11,12,13,15 and Mutton Stall in shop No.7 belongs to the 5th respondent panchayat situated at Tharamangalam Bus Stand, Tharamangalam, Omalur Taluk, Salem District made in favour of the respondents 6 to 14 and conduct fresh public auction for the above shops based on the representation given by the petitioner dated 29.10.2020 by following the procedure laid down under the Tender Transparency Act and Tamil Nadu Panchayats (Procedure for conducting public auction of lease and sale in the panchayats) Rules 2001.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. It is seen that the petitioner submitted a representation to cancel the allotment of shops in favour of the respondents 6 to 14, without challenging their allotment or the auction proceedings. Therefore, the allotment of shops in favour of the respondents 6 to 14 cannot be cancelled based on the petitioner's representation as there is no



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challenge to the allotment order or the auction proceedings. That apart, the petitioner herein had participated in the auction and after having been failed in the auction cannot challenge the allotment of shops in favour of the respondents 6 to 14 herein.

4. In view of the above, this writ petition lacks merit and it is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

15.10.2024

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Lpp

To

1. The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai - 600 009.

2. The Collector / Inspector of Panchayat,
Salem District,
Salem.

3. The Director of Town Panchayat,
Directorate of Rural Administration,
MRC Nagar,
Raja Annamalai Puram,
Chennai - 600028.



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4. The Special Officer and Assistant Director,
Directorate of Town Panchayats,
Salem Region, Salem - 636 001.



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G.K.ILANTHIRAIYAN, J.

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