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W.P.No.30040 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM

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

W.P.No.30040 of 2024

S.Muthupandian

... Petitioner

-Vs-

1. The Member Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

2.Chinnadurai

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, forbearing the 1st respondent from disbursing the sale consideration for a sum of Rs.10,60,00,000/- paid to the 1st respondent for the Godown No. VG-88 vide document No. 1977 of 2021 dated 27.04.2021 pending disposal of the representation of the petitioner dated 19.09.2024

For Petitioner : Mr.M.Rajasekar

For R1 : Ms.Mageswari
Standing Counsel



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ORDER

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This Writ Petition has been filed forbearing the first respondent from disbursing the sale consideration of Rs.10,60,00,000/- paid for Godown No.VG-88, which was registered in favour of the second respondent vide document No.1977 of 2021 dated 27.04.2021.

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

3. The petitioner was an unsuccessful bidder in the auction conducted by the first respondent for Godown No.VG-88 which was conducted in the year 2020. In the auction, the said godown was allotted in favour of the second respondent. This allotment was challenged by one Mohan in W.P.No.12286 of 2020 and the same was dismissed. Aggrieved by the same, he filed a writ appeal before this Court in W.A.No.1104 of 2021 and the Hon'ble Division Bench of this Court, by an order dated 25.07.2024, allowed the appeal and directed the first respondent to call for a fresh tender based on the current market value and complete the tender process within a period of four months, which will expire on 25.11.2024. In the meanwhile, the petitioner submitted a



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representation not to refund the sale consideration to the second respondent, since the second respondent, after taking the possession of the godown, converted the godown into shops and sold out to the third parties.

4. Admittedly, the petitioner was an unsuccessful bidder and has no *locus standi* to file this writ petition. Moreover, the time granted by the Hon'ble Division Bench of this Court will expire only on 25.11.2024. The first respondent still has time to re-auction the godown. That apart, the respondent has no proposal to refund the sale consideration, which was paid by the second respondent, since there is a period to be deducted from the sale consideration.

5. In view of the above, this writ petition is devoid of merits and it is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

14.10.2024

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

The Member Secretary,
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore, Chennai - 600 008.

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