



W.P.No.760 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.760 of 2020

K.Elumalai

.. Petitioner

Vs.

1. The District Collector
Kanchipuram District.

2. The Assistant Director (Panchayat)
Maduranthagam
Kanchipuram District 603 312.

3. The Special Officer/Block Development Officer
Ilanthur Union, Pavunjur
Seiyur Taluk
Kanchipuram District 603 312.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to consider the petitioner representation dated 16.09.2019 and to conduct public auction regarding the 29 shops belonging to the Thiruvathoor Panchayat, Ilanthur Union, Seiyur Taluk, Kanchipuram District within the stipulated time fixed by this Hon'ble Court.



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For the Petitioner : Mr.J.Kishore
For Mr.P.Sesubalan Raja

For the Respondents : Mr.T.K.Saravanan
Government Advocate

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.J.Kishore, learned counsel for Mr.P.Sesubalan Raja, learned counsel for the petitioner and Mr.T.K.Saravanan, learned Government Advocate for the respondents.

2. The petitioner seeks a direction to the respondents to conduct auction for the writ shops.

3. In the year 1998, auction was conducted and the shops were given on lease to the successful bidders. The grievance of the petitioner is that for the past 20 years, fresh auction has not been conducted.

4. It appears that fresh auction notice was issued. However, the



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same was challenged by one of the shop owners in the suit bearing O.S.No.172 of 2019 before the District Court.

5. If no injunction is granted by the Civil Court, then, the authorities can proceed further and take necessary action.

6. In the light of that, the respondents shall verify as to whether any order of injunction from the civil Court operates and if no such order of injunction is operating, then, the authorities may proceed further with the writ shops in accordance with law.

7. With the aforesaid observations, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
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D.BHARATHA CHAKRAVARTHY, J

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