



WEB COPY



W.P.No.35895 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM:

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

W.P.No.35895 of 2019
and
W.M.P.Nos.36806 & 36807 of 2019

T.Saloman

.... Petitioner

Vs

The Chief Executive Officer,
St Thomas Mount - Pallavaram Cantonment Board,
North Parade Road,
Chennai 600 016.

.... Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records of impugned public notice dated 14.12.2019 published by the respondent and quash the same and consequently direct the respondent to maintain the present position by collecting the rent from the petitioner in view of the Honble High Court order made in W.P.No. 6149 / 2017 dated 13.11.2017.

For Petitioner : Ms.S.Vinodha

For Respondent : Ms.A.Rexy Josephine Mary
for M/s.King & Partridge

ORDER



W.P.No.35895 of 2019

This writ petition has been filed challenging the tender notification dated 14.12.2019, thereby inviting applications for the shops in Ranganatha Mudali Street, Pallavaram, Chennai.

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

3. The case of the petitioner is that the petitioner is the Secretary of CITU Auto Stand located at Ranganatha Mudali Street, Pallavaram, Chennai. The said land is used as an auto stand and the association's office, has been duly permitted to run the auto stand at this location. The respondent constructed 27 shops covered with asbestos sheets to run small businesses in Ranganatha Mudali Street, Pallavaram, Chennai. Thereafter, the petitioner occupied shop No.3 admeasuring 4.5 feet breath and 7 feet length, to run the auto stand office in the said shop. The petitioner submitted a representation to pay rent for the shop, similar to the rent paid for the other shops. While being so, on 16.12.2019, the respondent issued a tender notification, including the said shop along with the other shops.

4. Admittedly, the petitioner was never allotted shop No.3. The petitioner unauthorisedly occupied the said shop and has been running the



W.P.No.35895 of 2019

office. Even on perusal of the notification, it is clear that the shop Nos. 1 to 3 are reserved for physically handicapped individuals. As per the tender notification, one S.Selina submitted the highest bid for shop Nos.1 and 3. However, only one shop was allotted to her and as far as shop No.3 is concerned, it is reserved for physically handicapped persons. Therefore, it cannot be allotted in favour of the petitioner.

5 In view of the above, this Court finds no infirmity or illegality in the tender notification dated 14.12.2019 issued by the respondent. Thus, the writ petition lacks merit and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

29.10.2024

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

To
The Chief Executive Officer,
St Thomas Mount - Pallavaram Cantonment Board,
North Parade Road,
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G.K.ILANTHIRAIYAN. J,

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