



W.P(MD)No.4280 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.04.2024

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.4280 of 2024

and

W.M.P.(MD)Nos.4111, 4113 & 4115 of 2024

The Secretary,  
Nethaji Bose Market Viyabarikal Sangam,  
Tirunelveli Town,  
Tirunelveli District.

... Petitioner

**Vs.**

1.The District Collector,  
Collectorate Office,  
Kokkirikulam,  
Tirunelveli District.

2.The Commissioner,  
Tirunelveli Corporation,  
Tirunelveli District.

3.The Assistant Commissioner (General),  
Tirunelveli Region,  
Tirunelveli Corporation,  
Tirunelveli District.

4.Krishnan

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned Tender - cum- Public Auction notification of the 2nd respondent vide Na.Ka.No. Thee.Vaa.A1/370/2023 dated 16.02.2024 and quash



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the same as illegal, arbitrary and non-application of mind and consequently direct the 2nd respondent to give preference to the members of Nethaji Bose Market Viyabarikal Sangam in the Tender - cum- Public Auction of the newly constructed shops under the smart city scheme at Nethaji Bose Market.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.T.Villavan Kothai  
Additional Government Pleader for R1

: Mr.R.Baskaran  
Additional Advocate General  
assisted by Mr.Sivanupandian for R2 & R3

: Mr.M.Ramu for R4

### **ORDER**

Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General assisted by the learned counsel appearing for the respondents 1 to 3 and the learned counsel for R4.

2. The learned Additional Advocate General informs the Court that tender cum auction was conducted on 08.03.2024. There are totally 72 shops. Except three shops, remaining had been auctioned. 59 existing lessees took part and out of them, 22 turned out to be successful. Some of them are members of the petitioner association.



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3. I am of the view that interference is not warranted at the instance of the association. It may be open to the individually aggrieved members to mount a challenge. Interim order earlier granted need not continue. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**02.04.2024**

Index : Yes / No  
Internet : Yes/ No  
rmi

To

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**G.R.SWAMINATHAN, J.**

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