



WEB COPY



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W.P.(MD)NO.16851 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16851 of 2024 and
W.M.P.(MD)Nos.14514 & 14517 of 2024

Marisamy

... Petitioner

Vs.

The Executive Officer,
Uthamapalayam Town Panchayat,
Theni District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records relating to the impugned auction cum tender notification issued by the respondent in Na.Ka.No.235 of 2024 dated 08.07.2024 and quash the same as illegal and consequently direct the respondent to conduct auction or tender by considering the petitioner's representation dated 13.07.2024.

For Petitioner : Mr.M.Jerin Mathew

For Respondent : Mr.P.Thambidurai,
Government Advocate.

* * *

ORDER

The respondent is proposing to conduct auction -cum- tender for awarding the work order to issue license to collect fees from the users



of the public toilet. The respondent proposes to conduct auction in the first instance and it will be followed by opening all the sealed tenders.

The petitioner opposes the said course of action. According to the petitioner, earlier the respondent had been conducting only auction for deciding the highest bidder and that will have to be followed now also. Hence, he challenges the impugned auction-cum-tender notification.

2. This writ petition is liable to be dismissed for more reasons than one. Firstly, the petitioner does not have any legal right. One cannot say as to how the respondent should conduct their affairs. Secondly, the procedure adopted by the respondent is in accordance with the provisions of the Tamil Nadu Transparency in Tenders Act. I take note of the fact that in Mines and Minerals Rules also, similar procedure is contemplated. I do not find any ground to interfere. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

24.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU



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W.P.(MD)NO.16851 OF 2024

To:

The Executive Officer,
Uthamapalayam Town Panchayat,
Theni District.



WEB COPY



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W.P.(MD)NO.16851 OF 2024

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.16851 of 2024

24.07.2024