



WP(MD). No.20702 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 30/08/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.20702 of 2024

Basul Ashaf. M

... Petitioner

Vs

1. The Chairman Cum Managing Director,
TANGEDCO, N.P.K.R.R. Maaligai,
3rd Floor,144, Anna Salai,
Chennai -600002..

2. The Chief Engineer / Distribution,
Tangedco, Tirunelveli Region,
Maharaja Nagar, Tirunelveli..

3. The Superintending Engineer,
Tangedco,
Tuticorin Electricity District Circle,
Tuticorin..

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the respondents to receive the balance bid amount from the petitioner for the lot No. 12 with the penal interest for 60 days alone otherwise return the Petitioner paid EMD amount of Rs.2,18,200 with penal interest Rs. 1,78,374 by considering the petitioner's representation dated 07.12.2023.



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For Petitioner : Mr.D.S.Haroon Rasheed,

For Respondents : Mr.S.Deenadayalan

ORDER

The writ petition has been filed for a mandamus to direct the respondents to receive the balance bid amount from the petitioner for the lot No. 12 with the penal interest for 60 days alone otherwise return the Petitioner paid EMD amount of Rs.2,18,200 with penal interest Rs.1,78,374 by considering the petitioner's representation dated 07.12.2023.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. By consent of both sides, the writ petition itself is taken up for final disposal.

4. The petitioner is the successful bidder for the auction conducted by the respondents in respect of Lot Nos.11,12,14 and 15 and EMD has also been paid and sale order has been issued to the petitioner. After



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issuance of sale order, the petitioner has to remit the balance amount within 21 days. However, the petitioner could not make the payment within the time stipulated and therefore, the petitioner sought for 30 days extension for such payment and subsequently paid the same. However, for lot No.12, the petitioner was asked to pay the penal interest for 107 days. The petitioner has requested the respondents that he may be allowed to pay the penal interest for 60 days. However, since the said request/representation of the petitioner has not been considered so far nor the EMD amount has been paid, the petitioner is before this Court.

5. Without going into the merits of contention of the petitioner, the writ petition is disposed of by directing the respondents to consider the representation of the petitioner dated 07.12.2023 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

30.08.2024

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N.SATHISH KUMAR,J

**ORDER
IN
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