



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.6320 of 2025

and

W.M.P.Nos.6959 and 6960 of 2025

R.Krishnamoorthi

... Petitioner

Vs.

1. The Commissioner, HR & CE,
Nungambakkam, Chennai – 600 034.
2. The Deputy Commissioner, HR & CE,
(Jewel/ Auditing),
3. The Joint – Commissioner, HR & CE,
Thiruvannamalai.
4. The Executive, HR & CE,
Arulmigu Kaligambal Kamatcheeswarar Temple,
Hosur, Krishnagiri District.

Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Tender notice issued in Malai Murasu News Paper on 02.02.2025 vide Ve.A.No.06/Se Ma.Tho.A/O.PU/2025/Krishnagiri District on the file of the fourth respondent and quash the same as illegal, arbitrary and without jurisdiction and consequently direct the respondents to conduct a



public auction for the lease of commercial shops constructed by the fourth respondent temple.

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For Petitioner : Mr.J.Bharathi Raja

For Respondents : Mr.N.R.R.Arun Natarajan,
Special Government Pleader (HR & CE)

ORDER

The writ petition is filed to call for the records relating to the impugned tender notice in Malai Murasu dated 02.02.2025, on the file of the fourth respondent and quash the same as being illegal, arbitrary and without jurisdiction.

2. The case of the petitioner is that when the respondent authorities are auctioning the shop that is built on behalf of the Temple, which is very near to the Hosur Bus Stand, the upset price is fixed as Rs.10,415/-, which is very low and the shop will fetch more amount. If the petitioner goes only by tender alone, there is every possibility of formation of syndicate and therefore, it is better to go by way of public auction.

3. At the outset, I am unable to accept the said condition because the concept of tender itself came into the place only to prevent the cartels



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being formed in public auction. It is always the secret tender which avoids the cartel formation better than the public auction. In any event, the upset price fixed is not too low so that this court should exercise its jurisdiction under Article 226 of the Constitution of India in interfering with the matter. It is stated that the shop measure 100 square feet and therefore, the minimum upset price is fixed at Rs.10,400/-, which does not call for any interference. Besides when the matter came up for hearing, the learned Special Government Pleader also brought to the notice of this court that the petitioner himself has participated in the tender for two shops and if that be so, nothing prevented the petitioner from quoting Rs.30,000/- or Rs.40,000/- as the case may be.

4. Therefore, finding no merits in this matter, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

21.02.2025

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Neutral Citation : No



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W.P.No.6320 of



D.BHARATHA CHAKRAVARTHY, J.

skr

To

1. The Commissioner, HR & CE,
Nungambakkam, Chennai – 600 034.
2. The Deputy Commissioner, HR & CE,
(Jewel/ Auditing),
3. The Joint – Commissioner, HR & CE,
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