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W.P.No.4937 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4937 of 2023

M.Rajendra Kumar Bora

... Petitioner

Vs.

1.The District Collector,
Chennai,
Rajaji Salai, No.62, Beach Road,
Chennai-600 001.

2.The Personal Assistant (General) to
The Collector of Chennai,
Chennai-600 001.

3.The Revenue Divisional Officer,
Central Chennai Division,
Chennai-600 101.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to issue appropriate proceedings including the petitioner's son's name (R.Nilesh Kumar Bora) as a shareholder in the firm namely "Messrs. Guru Santhi Auctioneer" in the license issued by the second respondent vide proceedings bearing Ref.No.D.Dis VI/23379/98 dated 20.12.1999 within such time as stipulated by this Court.



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For Petitioner : Ms.C.S.Monica
For Respondents : Mrs.Anitha
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to include the name of the petitioner's son as a shareholder in the family business of the petitioner.

2. The facts leading to filing of the present writ petition are as follows:-

(i) the family of the petitioner is engaged in the business of conducting auction of time barred un-redeemed articles that were pledged with the licensed pawnbrokers. The petitioner's father was carrying on the said business under the name and style of M/s.Guru Santhi Auctioneer. Subsequently, after the demise of the petitioner's father, the petitioner started individual business in the name and style of M/s.Manickchand Jain Auctioneers. In all, the petitioner inducted his son in the said business and in this regard, he has made an application before the second respondent to



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include the petitioner's son's name in the license dated 20.12.1999 as a shareholder in the Firm started by his father M/s.Guru Santhi Auctioneer.

The said application was forwarded to the third respondent whom after the investigation conducted by the Police granted license in favour of the petitioner's son to do business in the Central Chennai Division of Chennai District. The petitioner is aggrieved that though the license was granted in favour of his son, it was restricted only to Chennai Central Division and it was not given for the whole of Chennai District. Subsequently, the petitioner applied to include his son's name in the Firm run by him, namely, M/s.Manickchand Jain Auctioneers. However, the same was rejected by the District Revenue Officer, Thiruvallur. Therefore, the petitioner filed writ petition before this Court in W.P.No.16874 of 2021 and the prayer in the said writ petition was to include the petitioner's son's name as shareholder in M/s.Maneckchand Auctioneers. This Court, vide order dated 06.12.2021, allowed the writ petition. According to them, the petitioner's son's name was included as shareholder in the firm, namely, M/s.Maneckchand Auctioneers.



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(ii) the grievance of the petitioner is that similar to adding his son's name as shareholder in M/s.Maneckchand Jain Auctioneers, his son's name should be added as shareholder in M/s.Guru Santhi Auctioneer. The principle prayer of the petitioner is that his son's name should be added as a shareholder for the whole of Chennai District. It is the grievance of the petitioner that so far the respondents have not made any response to the representation submitted by the petitioner. Seeking for a direction to the respondents 1 and 2 to include his son's name as shareholder in M/s.Guru Santhi Auctioneer, the present writ petition has been filed.

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

4. This Writ Petition is frivolous and misconceived. The petitioner has not produced any document as to how his son is entitled for the license for doing business in the whole of Chennai District. Just because his father and himself enjoyed the unbridled license to do business in the whole of Chennai, the petitioner cannot extract some leniency to be shown to his son



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also. This Court is not inclined to issue any Mandamus to the petitioner in this regard. This Writ Petition fails and the same is dismissed. It is left open to the petitioner to work out his remedy in the manner known to law. There shall be no order as to costs.

25.09.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To

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