

W.P.(MD)No.1166 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2025

CORAM:

**THE HONOURABLE MRS. JUSTICE J. NISHA BANU
and
THE HONOURABLE MRS. JUSTICE S. SRIMATHY**

W.P.(MD)No.1166 of 2023

P.Elamaran

... Petitioner

Vs.

- 1.The Secretary,
Municipal Administration and Water Supply Department,
Chennai-600 009.
- 2.The Municipal Executive Director,
Directorate of Municipal Administration,
No. 75, Urban Administration Building,
Santhom Road, MRC Nagar,
Raja Annamalaiyarpuram,
Chennai-600 028.
- 3.The Principal Secretary to Government,
Rural Development Panchayats and
Panchayat Unions Secretariat,
Chennai-600 009.
- 4.The Commissioner,
Commissionerate of Municipalities,
Chennai.
- 5.The Assistant Director (Panchayat),
Sivagangai District Collector's Office,
Sivagangai District.



W.P.(MD)No.1166 of 2023

6.The Municipal Administrative Zonal Director,
Madurai District Collector's Office,
Madurai District.

7.The District Collector,
Ramanathapuram District,
Ramanathapuram.

8.The Executive Officer,
Muthukulathur Municipality Office,
Muthukulathur, Ramanathapuram District.

... Respondents

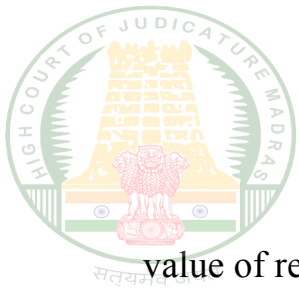
PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Mandamus***, to direct the respondents to re-auction of the shops who are under Lease/License for more than 9 years coming under the ambit of the 8th respondent for the prevailing market value of rent by considering the petitioner's representation, dated 09.01.2023.

For Petitioner	: Mr.K.R.Laxman
For R1 to R7	: Mr.P.Thilak Kumar Government Pleader
For R8	: Mr.N.Dilip Kumar

ORDER

(Order of the Court was delivered by **S.SRIMATHY, J.**)

The present writ petition is filed for Writ of ***Mandamus***, to direct the respondents to re-auction of the shops who are under Lease/License for more than 9 years coming under the ambit of the 8th respondent for the prevailing market



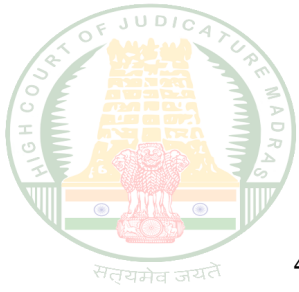
W.P.(MD)No.1166 of 2023

value of rent by considering the petitioner's representation, dated 09.01.2023.

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2. The petitioner is the elected Ward Member in Ward No.4 in Mudukulathur Municipality for the year 2014 to 2019. The allegation against the local body is that the Municipality is not letting its property for public auction. The prime shops which would fetch Rs.15,000/- are now only getting a very meagre amount of Rs.3,910/-. The petitioner is relying on the answers provided under the Right to Information Act. On perusing the answers, the allegation of the petitioner seems to be correct.

3. The contention of the petitioner is that there is delay tactics by the Municipality. But the said contention is incorrect. Since the Municipality initiated the tender process for re-letting the shops, but the same was challenged by the existing lessees by way of filing writ petitions. Therefore, this Court is of the considered opinion that the claim in the writ petition is already addressed by the local body and local body has initiated the tender process for reletting the shops for higher bidders. Therefore, the local body / 8th respondent is directed to complete the tender process within a period of 12 weeks from the date of receipt of a copy of this order.



W.P.(MD)No.1166 of 2023

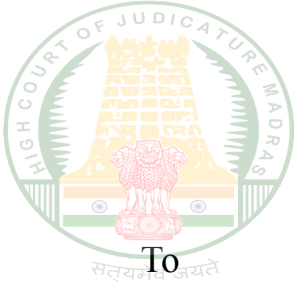
4. With the above said observations, the writ petition is disposed of. No

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costs.

[J.N.B., J.] [S.S.Y., J.]
25.02.2025

Index : Yes / No

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