



W.P.(MD) No.20687 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.20687 of 2025
and
W.M.P.(MD) Nos.16006 and 16007 of 2025**

Alagar

... Petitioner

/vs./

- 1.The District Collector,
Office of the District Collector,
Sivagangai District.
- 2.The Block Development Officer,
Office of the Block Development Officer,
Kalayarkoil Block,
Sivagangai District.
- 3.The Tahsildar,
Kalayarkoil Taluk,
Sivagangai District.
- 4.Saravanan



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5.The Inspector of Police,
Kalaiyarkoil Police Station,
Sivagangai District.

*(R5 has been suo motu impleaded vide
order dated 29.07.2025)*

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No.2 to cancel the auction held on 11.07.2025 pursuant to the public auction Notice in Na.ka.A2/1517/2025 dated 04.07.2025 and to conduct re auction by enabling the public to be participate in the auction in fair manner related to the process of lease for removal of Seemai Karuvelam trees (Proposis Juliflora) in Vadaku Thodukulam kanmoi, Therku Thodukulam Kanmoi, Siruvelankudi Kanmoi, Silukkapatti Panchayat, Sivagangai District in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For R1 & R3 : Mr.D.Ghandiraj
Special Government Pleader

For R2 : Mr.F.Deepak
Special Government Pleader

For R4 : Mr.S.Sivasamy for
M/S.ISSAC Chambers



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ORDER

Mr.D.Ghandiraj, learned Special Government Pleader takes notice for the respondents 1 and 3, Mr.F.Deepak, learned Special Government Pleader takes notice for the second respondent and Mr.S.Sivasamy for M/S.ISSAC Chambers takes notice for the fourth respondent.

2.The petitioner has filed this writ petition to quash the Public Auction Notice bearing Ref.Na.Ka.A2/1517/2025, dated 04.07.2025 and to conduct a fresh auction by canceling the tender awarded to the fourth respondent on 11.07.2025 and the consequential work order issued to the fourth respondent.

3.It is the case of the petitioner that the petitioner was not allowed to participate in the tender, as the fourth respondent has used unlawful means and prevented the petitioner from making the bid in response to the aforesaid Tender Notification, dated 04.07.2025, floated by the second respondent.

4.It is submitted that an FIR has been registered in Crime No.384 of 2025, dated 11.07.2025 with the Kalaiyarkoil Police Station, Sivagangai District for the



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offences under Sections 126(2), 140(3), 115(2), 351(2) and 303(2) of the Bharatiya Nyaya Sanhita (BNS), 2023.

5.It is further submitted that re-auction of lease may be conducted in terms of Rule 18(1)(c) of the Tamil Nadu Panchayats (Procedure for Conducting Public Auction of Leases and Sales in Panchayats) Rules, 2001.

6.The learned Special Government Pleader for the respondents 1 to 3 submits that after the tender was opened, contract was awarded to the fourth respondent and the work order was also issued on 11.07.2025 and substantial portion of work pursuant to the aforesaid work order has also been executed by the fourth respondent.

7.The learned counsel for the fourth respondent, on the other hand, would submit that there is no averment regarding the alleged criminal case against the fourth respondent.



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8.However, reading of the affidavit filed in support of the present writ petition indicates that the petitioner has made allegations only against Praveenkumar, Yuvaraj and Muthukumar and no allegation has been made against the fourth respondent.

9.That apart, it is submitted that the Tender Notification, dated 04.07.2025 of the second respondent pertains to clearance of Seemai Karuvelam Trees (Proposis Juliflora) near the water body in the respective villages, namely, Thodukulam and Siruvelankudi and that the petitioner has not questioned the same. That apart, it is submitted that no FIR has been registered against the fourth respondent.

10.The fact remains that a complaint that has been filed by the petitioner before the Kalaiyarkoil Police Station, Sivagangai District, in respect of which, an FIR has been registered in Crime No.384 of 2025, on 11.07.2025.



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11.Considering the same, the Inspector of Police, Kalaiyarkoil Police Station, Sivagangai District, is *suo motu* impleaded as fifth respondent in this writ petition.

12.It is open for the second respondent to take a call as to whether the contracts of work order awarded to the fourth respondent is to be cancelled, based on the FIR registered in Crime No.384 of 2025, dated 11.07.2025, after ascertaining the details from the fifth respondent. The second respondent may also call for information and ascertain whether the fourth respondent was responsible for the petitioner in not participating in the tender.

13.In case, it is eventually ascertained that the petitioner was wrongly denied a legitimate opportunity to participate in the tender, it is also open for the petitioner to take further steps in accordance with law for recovery damages, if any, on account of the loss of opportunity to participate in the tender.

14.It is expected that the second respondent may pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order.



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15. With the aforesaid directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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