



W.P.(MD)No.32870 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD)No.32870 of 2025

and

W.M.P(MD)No.25919 of 2025

Kuzhithurai Nagara Captain
Thinasari Kaikari Vyabarigal Sangam,
Marthandam,
Marthandam Post,
Kanyakumari District.
Rep. by its President.

.. Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Sub Collector,
Padmanabhapuram Division,
Thuckalay,
Kanyakumari District.
- 3.The Commissioner,
Kuzhithurai Municipality,
Marthandam Post,
Kanyakumari District.

.. Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to allot 36 vegetable stalls in the Marthandam Vegetable Market, Kanyakumari District to the members of the petitioner's Sangam or to conduct open auction in a transparent manner to allot the vegetable shops.

For Petitioner : Mr.S.Sivakumar

For R1 & R2 : Mr.A.Kannan
Additional Government Pleader

For R3 : Mr.Athimoola Pandian

ORDER

This writ petition has been filed for the following relief :

“directing the respondents to allot 36 vegetable stalls in the Marthandam Vegetable Market, Kanyakumari District to the members of the petitioner's Sangam or to conduct open auction in a transparent manner to allot the vegetable shops.”

2. It is the case of the petitioner that for housing the vegetable market, the vegetable vendors in the erstwhile market were shifted to the nearest fish and meat market temporarily till the construction of the new



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vegetables market building is constructed. The petitioner would submit that the construction is already been completed.

3. The 3rd respondent had constructed stalls in various sizes depending upon the commodity that were sought to be sold. Stall Nos.1 to 13 facing the Marthandam – Karingal Highway measures 145 square feet. Stall Nos.14 and 15 measures 255 square feet and Stall Nos.16 to 35 measures 113 square feet to 161 square feet. The 3rd respondent had fixed varying deposits for different stalls and public auction was conducted and the stalls were allotted to the successful bidders.

4. The petitioner would submit that auction was conducted only with reference to Stall Nos.1 to 35 and with reference to other stalls, the respondent did not conduct any open and transparent auction. Open shops without shutter bearing Nos.C1 to C81 meant for vegetable vendors with sizes ranging from 95 square feet to 120 square feet was situate inside the building. Stall Nos.73 to 81 measuring 113 square feet was also situate within the building and these shops have not been



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auctioned. It is the allegation of the petitioner that the 3rd respondent had colluded with his candidates belonging to another Sangam and without conducting an open auction, has secretly fixed the advance deposit of Rs. 1 Lakh for them whereas for the members of the petitioner Sangam, a deposit of Rs.2 Lakhs was demanded.

5. With reference to Stall Nos.65 to 72 which were reserved for physically challenged persons measuring 113 square feet, the deposit was fixed at Rs.2 Lakhs and in respect of these shops also, no auction was conducted and 3rd respondent was attempting to allot it to their own persons. In view of the arbitrariness in the auction process, the petitioner had made a detailed representation dated 27.10.2025 to the 1st respondent. However, the same has not been considered. Once again, on 03.11.2025 a representation was made to the 1st respondent on the grievance day which was also not been considered. Therefore, the petitioner is before this Court.



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6. The matter which comes up for admission, is taken up for final disposal itself. The learned counsel appearing for the 3rd respondent would submit that there has been no arbitrariness or any hidden agenda in the conduct of the auction. He would submit that the petitioner has deliberately suppressed the corrigendum to the original auction notice, dated 16.09.2025 which had been issued on 01.10.2025 wherein the prospective bidders were informed that the auction for Shop Nos.36 to 84, C1 to C85, F1, F2, F3 and F4 has been postponed and the auction would be conducted only with reference to Shop Nos.1 to 35. Therefore, the allegation that these shops are sought to be allotted to the persons close to the 3rd respondent in a clandestine manner is absolutely baseless.

7. Heard the learned counsel on either side.

8. A perusal of the publication now produced on the side of the 3rd respondent would clearly show that the respondents had decided to postpone the auction in respect of Shop Nos.36 to 84, C1 to C85, F1, F2,



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F3 and F4. The learned counsel for the 3rd respondent who has represented on instructions that a fresh auction will be held, shall specify the deposits for each shops separately and proceed with the auction after giving due publicity. The learned counsel for the petitioner is also agreeable to the above mode as it is the endeavour of the petitioner Sangam to ensure transparency in the tender process. It is also stated that the construction of these stalls are not fully completed. Therefore, within a period of one month from the date of completion of construction work, the auction shall be held and allocation of the shops shall be made.

9. With the above directions, this Writ Petition stands disposed of.

No costs. Consequently, connected Miscellaneous Petition is closed.

24.11.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1. The District Collector,



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Nagercoil.

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P.T.ASHA, J.

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