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WP No. 6519 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 6519 of 2026 AND

WMP Nos. 7099 and 7103 OF 2026

Ramanathan
S/o.Rajavinayagam,
76/1, Birundha Nagar Uppukaratheru,
Mannarkudi Taluk,
Thiruvavarur- 614 001.

..Petitioner

Vs

1. The State Of Tamil Nadu
Rep by its Principal Secretary to the
Government, Municipal Administration and
water Supply Department, Fort St. George,
Chennai-600 009.
2. The Director of Municipal Administration
75, Urban Administration Building,
Santhome High Road, MRC Nagar,
Raja Annamalaipuram,
Chennai-028.
3. The Commissioner
Mannarkudi Municipality,
120, Gandhi Road,
Mannarkudi,
Thiruvavarur District.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned Tender Notifications dated 13.08.2025 and 04.02.2026 issued by the 3rd Respondent in Na.Ka. No.379/ 2025/A4 and the



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Consequential Resolution dated 09.09.2025 passed by the Council of the 3rd Respondent in Resolution Nos.1 to 7 pertaining to allotment of Shops in Block A to G at the Mannargudi New Bus Stand, quash the same as illegal, arbitrary and contrary to the provisions of the Tamil Nadu Urban Local Bodies Act, 1998 and the Tamil Nadu Urban Local Bodies Rules, 2023, and consequently direct the respondents to conduct a fresh open, fair, and transparent public auction in respect of the shops in Blocks A to G at the Mannargudi New Bus Stand by affording equal opportunity to all eligible and interested applicants, including the petitioner.

For Petitioner : Mr.T.Muthukumar

For Respondents : Mr.M.Suresh Kumar, Additional
Advocate General assisted by
Dr.T.Seenivasan
Special Government Pleader

ORDER

The petitioner has come forth with this writ petition challenging the auction for the shops situated at Mannargudi New Bus Stand under the control of the third respondent Society. The petitioner states that he was allotted Shop No.10 in the Kamarajar Bus Stand. He states that he was running a hair styling shop in the shop so allotted. The Mannargudi Municipality decided to pull down the old superstructure and construct a new one. At that time, the third respondent had assured that the existing occupants would be allotted shops in the newly constructed superstructure if they produce a no-due certificate. The petitioner states that he had given a



no-due certificate on 21.07.2025 and yet, the Municipality instead of giving him preference, has proceeded to conduct an auction for all the shops in the newly constructed shopping complex, without issuing proper notice. Hence, he has come forward with the present writ petition for the aforesaid relief.

2. When the matter came up for admission, Mr.M.Suresh Kumar, learned Additional Advocate General assisted by Dr.T.Seenivasan learned Special Government Pleader appearing for the respondents 1 to 3, reported that the petitioner had been given not one shop, but two shops on lease by the third respondent Municipality. They were Shop Nos.10 and 17. He states that insofar as Shop No.10 is concerned, though a certificate has been issued, the petitioner has defaulted in payment of not only rents, but also the GST payable with regard to Shop No.17. He states as on today, the amount due is Rs.24,96,235/- . He further states that as the petitioner has not settled the dues to the Municipality, he was not considered for preferential allotment of shops and the challenge to the auction notice is untenable. He further states that the auction has been conducted and the shops have been allotted.

3. I have carefully considered the submissions of both sides and have perused the materials on record.



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4. The preferential allotment for an existing tenant / lessee / licensee has found statutory acceptance in terms of Rule 316(11)(a)(i) of the Tamil Nadu Urban Local Body Rules of 2023. However, the preference cannot be made enforceable when the person is a rank defaulter. The property, which belongs to the Municipality cannot be given free of cost to any person. The petitioner does not dispute the fact that he had taken two shops on lease in the erstwhile shopping complex within the bus stand. Though he has paid the amounts for one shop ie., Shop No.10, since he is a defaulter to the tune of Rs.24 Lakhs with respect to the other shop, the Municipality did not consider his plea for preferential allotment. The Municipality would obviously be concerned about the income generated from its properties. It cannot keep on leasing / licensing its assets to persons who have defaulted in monies due to it for nearly a decade.

5. At this stage, the learned counsel appearing for the petitioner states that he will clear the arrears of Rs.24,96,235/- if sufficient time is granted. The jurisdiction under Article 226 is not meant to come to the assistance of defaulters. It is upto the petitioner to clear the amounts due, and in case, any shops are vacant, the Municipality will consider preferential allotment.



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6. In the light of the above discussion, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



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To

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Municipal Administration and water Supply
Department, Fort St. George,
Chennai-600 009.
2. The Director of Municipal Administration
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