



Writ Petition No.9982 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2026

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

Writ Petition No.9982 of 2026
and
W.M.P.No.10807 & 10808 of 2026

P.Gunasekaran
S/o.Palanisamy

.. Petitioner

Vs.

1.The District Collector,
Salem District.

2.The District Panchayat Secretary,
Yercaud Panchayat Union,
Ondikadai Village,
Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned auction notice in Na.Ka.No.227/2026/A1 dated 06.03.2026 issued by second respondent and to quash the same, with consequential direction, directing the respondents to renew the lease period for a period of two years from 01.04.2026 to 31.03.2028 for petitioner's Shop No.8, situated in Ondikadai Village, Yercaud Village Panchayat, Salem District, by considering petitioner's representation dated 08.03.2026.

For Petitioner : Mr.S.Senthil
For Respondents : Mr.N.Naveen Kumar
Government Advocate



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ORDER

This writ petition has been filed challenging the impugned auction notice dated 06.03.2026 issued by the second respondent.

2. The petitioner has raised the following grounds for challenging the impugned auction notice:

- (a) As per the rules of the Panchayat, the second respondent Panchayat shall renew the lease of the petitioner for a further period of three years.
- (b) The rules of the Panchayat has not been adhered to before issuing the impugned auction notice dated 06.03.2026.

3. Learned counsel for the petitioner relied upon the rules of the Panchayat in support of his contention that the issuance of the impugned auction notice dated 06.03.2026 is arbitrary and illegal.

4. As seen from the said rules, this Court, on a *prima facie* consideration, finds that the discretion to renew the lease of the petitioner is vested only with the second respondent Panchayat. It is not mandatory for the second respondent to renew the lease. The petitioner is the occupier of



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only one shop under the earlier lease executed by the second respondent Panchayat. The impugned auction notice pertains to 13 shops. Until the petitioner is able to establish before this Court that the impugned auction notice is arbitrary, irrational and shocks the conscience of this Court, the question of interfering with the impugned auction notice dated 06.03.2026 will not arise. Since the petitioner has not been able to satisfy this Court at the admission stage the aforesaid requirement, this Court cannot interfere with the impugned auction notice. When this Court pointed out the same to learned counsel for petitioner, learned counsel, on instructions, would now submit that liberty may be granted to the petitioner to participate in the auction.

5. Learned Government Advocate appearing for the respondents, on instructions, submitted that the petitioner can participate in the auction pursuant to the impugned auction notice dated 06.03.2026 if the petitioner complies with all the terms and conditions for participating in the auction. The said submission, on instructions, made by learned Government Advocate is recorded by this Court.



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ABDUL QUDDHOSE, J

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Accordingly, this writ petition is disposed of by permitting the petitioner to participate in the auction pursuant to the impugned auction notice dated 06.03.2026 by satisfying all the terms and conditions for participating in the auction and the respondents shall also entertain the bid of the petitioner if the same is submitted in accordance with the terms and conditions of the auction and declare the result of the auction in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

10.03.2026

Index: Yes/No

NCC:Yes/No

Speaking Order/Non-speaking order

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To

1.The District Collector,
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Yercaud Panchayat Union,
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