



W.P.(MD)No.3111 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.03.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.3111 of 2024

and

W.M.P.(MD)No.3081 of 2024

M.J.Sathick Batcha

... Petitioner

vs.

The Commissioner,
Thanjavur City Municipal Corporation,
Thanjavur - 613 001,
Thanjavur District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to declare that the auction conducted on 27.12.2023 by the respondent based on the notification in Na.Ka.No. 9031/2023/MCA3 dated 13.12.2023 published in the Thinathandhi Newspaper for the Shop No.16 in the item No.18 of the above said notification is null and void and illegal and consequently, to direct the respondent to conduct re-auction for the shop no.16 in the item No.18 of the above said notification.

For Petitioner :Mr.S.Siva Thilakar
For Respondent :Mr.N.Dilip Kumar



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ORDER

The petitioner is before this Court seeking issuance of a Writ of Mandamus to declare the auction conducted on 27.12.2023, pursuant to the Tender Notification dated 13.12.2023, in respect of Shop No.16 (Item No.18), as null and void and illegal, and consequently to direct the respondent to conduct a re-auction for the said shop.

2. Mr. N. Dilip Kumar, learned counsel appearing for the respondent, submitted that pursuant to the auction, the subject shop has already been allotted to the successful bidder and the bid submitted by the petitioner was rejected. He further submitted that, on the request made by the petitioner dated 09.04.2025, the respondent has refunded a sum of Rs.4,00,000/- towards Earnest Money Deposit (EMD) on 05.05.2025.

3. In the light of the above, it is seen that the petitioner has neither challenged the allotment in favour of the successful bidder nor impleaded the successful bidder as a party to the present proceedings. Further, the



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petitioner has accepted the refund of the Earnest Money Deposit (EMD).

In such circumstances, the relief sought for by the petitioner does not survive for consideration.

4. Accordingly, the writ petition is dismissed as infructuous. No costs. Consequently, the connected miscellaneous petition is closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

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HEMANT CHANDANGOUDAR, J.

cmr

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