

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

WP(C).No.6153 of 2015 (T)

PETITIONER:

**LABOUR BANK WELFARE CO-OP SOCIETY LTD.C-1632,
REPRESENTED BY THE SECRETARY,K.JITHESH,
LABOUR BANK WELFARE CO-OP. SOCIETY LTD.C-1632,
RAJIV GANDHI ROAD,KANNUR-670 001.**

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

- 1. DIRECTOR OF PORTS,THIRUVANANTHAPURAM-695 001.**
- 2. THE PORT OFFICER,KOZHIKODE-673 001.**
- 3. SENIOR PORT CONSERVATOR,AZHIKKAL,PIN-670 011.**
- 4. TENDER EVALUATION COMMITTEE,
REPRESENTED BY THE DIRECTOR OF PORTS,
THIRUVANANTHAPURAM-695001.**

BY SENIOR GOVT. PLEADER SRI.JOSEPH GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.6153 of 2015 (T)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE SOCIETY.

**EXT.P2:TRUE COPY OF THE APPLICATION FOR ALLOTMENT OF MANUAL
DREDGING WORK FOR THE YEAR 2014-2015 SUBMITTED BY THE
PETITIONER.**

**EXT.P3:TRUE COPY OF THE REPRESENTATION DTD.23.1.2015 SUBMITTED BY
THE PETITIONER BEFORE THE 1ST RESPONDENT.**

**EXT.P4:TRUE COPY OF THE REPRESENTATION DTD.23.1.2015 SUBMITTED BY
THE PETITIONER BEFORE THE 3RD RESPONDENT.**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON J.

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W.P.(C) No.6153 of 2015

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Dated, this the 3rd day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

"(i) To declare that the petitioner is qualified and eligible for the allotment of tender for manual dredging work for the year 2014-2015;

(ii) To issue a writ of mandamus directing the respondents to consider Ext. P2 application filed by the petitioner society for allotment of tender by treating the petitioner as duly qualified;

(iii) To issue a writ of mandamus directing the respondents to accept the printed copy of computerized membership register and all other documents produced by the petitioner along with Ext. P2 and to permit the petitioner to take part in all further stages of the tender allotment process or to permit the petitioner to produce the duly attested copy of the membership register (hard copy) and accept the same on submission and to permit the petitioner to take part in all further stages of the tender allotment process;

(iv) To issue a writ of mandamus directing the respondents to treat the petitioner society as duly qualified for allotment of manual dredging workers and to permit the petitioner to undergo all further stages

in the process for allotment of manual dredging work at Azhikkal Port for 2014- 2015 and subsequent years;

(v) To issue a writ of mandamus directing the respondents to allot the manual dredging works at Azhikkal Port on the basis of the points obtained by the petitioner in the tender process;

(vi) To issue a writ of mandamus directing the respondents to allot the manual dredging work to the petitioner in the year 2014 - 2015 on the basis of the marks obtained by the petitioner in the evaluation committee; and

(vii) To issue such other orders, directions or writs as may be prayed for and that this Hon'ble Court may deem fit on the facts and circumstances of the case."

2. The learned counsel for the petitioner submits that the petitioner has produced a certified copy of the membership register (duly certified by the competent authority of the Co-operative Department) along with tender. In the said circumstances, there is absolutely no rhyme or reason to refuse to accept the same and denying any opportunity to participate the tender. It is also pointed out that subsequently a hard copy of the register has also been submitted before the concerned respondent.

3. Heard the learned Government Pleader as well, who submits on instructions that the documents produced by the petitioner have been duly attested by the competent authority, the

Assistant Registrar of Co-operative Societies and that the respondents have no objection in considering the same. The said submission is recorded.

4. In the said circumstances, the writ petition is disposed of, as no further orders are called for.

Sd/-
P. R. RAMACHANDRA MENON,
(JUDGE)

//true copy//

P.S. To Judge

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