

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

WP(C).No. 22185 of 2015 (W)

PETITIONER :

**A.P.SAHADEVAN, AGED 57 YEARS,
S/O. DEVAKI AMMA, GOVERNMENT CONTRACTOR,
EDAYALIL HOUSE, KAKKAD P.O., PIRAVOM,
ERNAKULAM DISTRICT, KERALA - 686 664.**

**BY ADVS.SRI.C.A.MAJEED
SRI.K.H.ASIF
SMT.RAAGA R.RAMALAKSHMI
SRI.K.J.SHARATH KUMAR**

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY SPECIAL SECRETARY,
WATER RESOURCES DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE SUPERINTENDENT ENGINEER,
IRRIGATION DEPARTMENT, PROJECT CIRCLE,
IRRIGATION DIVISION, MUVATTUPUZHA - 686 001.**
- 3. THE EXECUTIVE ENGINEER,
IRRIGATION DEPARTMENT, IRRIGATION DIVISION,
KAKKANAD, ERNAKULAM - 682 030.**

BY GOVERNMENT PLEADER SRI. S. ABDUL SALAM

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: A PHOTOCOPY OF THE REGISTRATION CERTIFICATE ISSUED TO THE PETITIONER AND ENDORSED BY THE 2ND RESPONDENT.
- P2: A PHOTOCOPY OF THE PERMISSION TO PAY TAX ISSUED BY THE COMMERCIAL TAXES FOR THE COMPLETED WORKS DT. 14.5.2015.
- P3: A PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT DT. 14.7.2015.
- P4: A PHOTOCOPY OF THE E-TENDER NOTICE NO. 29/EE/1/2015-16/S ISSUED BY THE 3RD RESPONDENT DT. 03.7.2015.
- P5: A PHOTOCOPY OF THE E-TENDER NOTICE NO. 33/EE/1/2015-16/S ISSUED BY THE 3RD RESPONDENT DT. 06.07.2015

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. T JUDGE

bp

K. VINOD CHANDRAN, J.

W.P.(C) No. 22185 of 2015 (W)

Dated this the 23rd day of July, 2015

J U D G M E N T

The petitioner submits that the petitioner's registration as a 'B' Class Contractor is valid up to 31.03.2017. In the meanwhile when he applied under a tender notification he was informed that his tender would not be considered since his registration suffers from deficit security deposit and without making up that his registration would not be treated as valid.

2. The learned Government Pleader submits that there is a Government Order which requires all the registered contractors to seek for re-registration and make additional security deposit on conditions stipulated therein, which also includes penalty for delayed renewals.

3. The petitioner submits that he would necessarily comply with the conditions in the Government Order and in the meanwhile his tender be accepted.

4. There can be no direction to accept the tender when the very registration of the petitioner suffers a defect. However, the petitioner shall appear before the 3rd respondent and shall comply with the conditions in the Government Order; in which event the renewal shall be made by the 3rd respondent.

Writ Petition is disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE