

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 29399 of 2015 (Y)

PETITIONER:

S. HARIPRASAD, AGED 38 YEARS,
S/O. SYAMAPRASAD, KALLUVILAVEEDU,
THANNIMOODU, CHERUNNIYOOR P.O.,
VARKALA PIN 695 142.

BY ADV. SRI. T. H. ABDUL AZEEZ

RESPONDENTS:

1. VARKALA MUNICIPALITY REPRESENTED BY
ITS SECRETARY, MUNICIPAL OFFICE,
VARKALA, P.O. VARKALA 695 142.
2. THE VARKALA MUNICIPAL COUNCIL,
REPRESENTED BY ITS CHAIRMAN,
VARKALA MUNICIPALITY,
P.O. VARKALA 695 142.
3. THE ASSISTANT EXECUTIVE ENGINEER,
VARKALA MUNICIPALITY, P.O. VARKALA 695 142.

BY ADV. SRI. J. S. AJITH KUMAR, SC, VARKALA MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE NOTICE AND PROCEEDINGS OF THE MEETING OF THE COUNCIL HELD ON 22.09.2015.
- EXHIBIT P2 : TRUE COPY OF THE LETTER DATED 19.09.2015 FROM THE STATE BANK OF TRAVANCORE, CHERUNNIYOOR BRANCH.
- EXHIBIT P3 : TRUE COPY OF THE RETENDER NOTIFICATION DATED 23.09.2015 ISSUED BY THE 3RD RESPONDENT.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 29399 OF 2015

Dated this the 1st day of October, 2015

JUDGMENT

Respondents 1 and 2 are perfectly within their rights to reject the sole valid tender of the petitioner in accordance with the PWD manual when all other tenders for the work have been rejected. The reason for not accepting the tender of the petitioner as reflected in the statement filed by the counsel for the respondents 1 and 2 is justified. I do not find any ground to interfere with the steps taken by respondents 1 and 2 to re-tender the work in question in the circumstances.

2. Needless to say that the petitioner is free to participate in the fresh tender if any conducted by respondents 1 and 2.

The Writ Petition is dismissed. No costs.

**V. CHITAMBARESH
JUDGE**

ncd