

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A.No.520 of 2015
and
M.P.No.1 of 2015

Dr.Ambedkar TAHDCO Contractors Association,
(Regn No.59/2014),
rep by its Secretary,
R.Parthiban,
No.29/B, Tiruchy Main Road,
Villupuram-605 602. ... Appellant

Vs.

- 1.The Principal Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Fort St. George, Chennai-9.
- 2.The Chairman,
Tamil Nadu Adi Dravidar Housing and
Development Corporation (TAHDCO),
No.31, Senatoff Road,
2nd Line, Tenampet, Chennai-18.
- 3.The Director,
Adi Dravidar Welfare,
Chepauk, Chennai-5.
- 4.The Director,
Tribal Welfare,
Chepauk, Chennai-5.
- 5.The Managing Director,
Tamil Nadu Adi Dravidar Housing and
Development Corporation (TAHDCO),
No.31, Senatoff Road,
2nd Line, Tenampet, Chennai-18.
- 6.The General Manager (Tech.),
Tamil Nadu Adi Dravidar Housing and
Development Corporation (TAHDCO),
No.31, Senatoff Road,
2nd Line, Tenampet,
Chennai-18. .. Respondents

This writ appeal is preferred under Clause 15 of the Letters Patent against the order of this court dated 10.02.2015 made in W.P.No.33239 of 2014.

Petition filed under Article 226 of the constitution of India praying to issue writ of mandamus to forbear the respondents from executing the construction of any hostel and residential school works as mentioned in the representation of the petitioner dated 04.12.2014 without floating the tender as per the provisions of the Tamilnadu Transparency in Tenders Act 1998 and Rules.

For Appellant : Mr.S.Doraisamy

For Respondents: Mr.P.S.Sivashanmugasundaram,
Spl.G.P for RR1,3 and 4

JUDGMENT

(Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

The instant intra-court appeal arises from the order dated 10.02.2015 passed in W.P.No.33239 of 2014.

2. On consideration of the submissions advanced by the learned counsel for the appellant and also on perusal of the documents and the impugned order, it appears that the construction of new building for students hostel was the subject matter as to whether it was rightly executed.

3. Indisputably, the construction work has not been assigned to any individual, de hors the instructions contained in the G.Os and the provisions of the Tamil Nadu Transparency in Tenders Act, 1998, the Corporation itself is involved in the construction of the said building. According to the learned counsel for the respondents, looking into the urgency of completing the construction of the hostel, there was no time to float tender and invite private agencies and as such, it was decided to construct the building on its own and also the construction is nearing completion.

4. In view of the foregoings, we are not inclined to interfere with the order at this stage. Thus, we reserve the rights and contentions of the parties to be raised at an appropriate stage in an appropriate case.

5. Resultantly, the writ appeal is dismissed. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

vvk

To

- 1.The Principal Secretary to Government,
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Chennai-18.

1 cc to Mr.S. Doramisamy, Advocate, Sr. 18613
1 cc to Government Pleader, Sr. 18514

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