

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2015

Coram

The Hon'ble Mr. Justice T.S. SIVAGNANAM

W.P. No.2949 of 2015
and
M.P.Nos.1 and 2 of 2015

N.Ulaganathan

.. Petitioner

Vs

1. The District Collector-cum-
Inspector of Panchayats,
Kanchipuram District.

2. The Block Development Officer,
St.Thomas Mount.

3. The President,
Kovilambakkam Panchayat,
(Grade-I), Chennai 600 129

.. Respondents

Prayer :-Petition filed under Article 226 of the Constitution of India praying to issue Writ of certiorarified mandamus to quash the order of the 2nd respondent in proceedings Na.Ka.946/2013/B1 dated 30.12.2014 and the consequential letter of the 3rd respondent dated 05.01.2015 quash the same and consequently direct the 1st and 3rd respondent herein to permit the petitioner to continue with the contract by renewing the lease with enhanced rates as per the norms fixed by the Government, considering the representation dated 10.01.2015.

For petitioner .. Ms. R.Anitha

For Respondent-1 .. Mr.R.Rajeswaran
Special Government Pleader

For Respondent-2 .. Mr.M.E.Raniselvam

For Respondent-3 .. Mr.P.S.Shivashanmugam

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. Heard Ms.R.Anitha, learned Counsel appearing for the petitioner, Mr.R.Rajeswaran, learned Counsel appearing for the first respondent, Mr.M.E.Raniselvam, learned Counsel appearing for the second respondent and Mr.P.S.Shivashanmugam, learned Counsel appearing for the respondent.

3. The petitioner has filed this Writ Petition, challenging the decision taken by the Village Panchayat President refusing to extend a contract in favour of the petitioner by increasing the contract amount from Rs.1,00,000/- to Rs.1,20,000/- for a further period of one year. This extension sought for by the petitioner also expired in December 2014.

4. The plea raised by the petitioner is wholly unsustainable and misconceived. The petitioner cannot insist that the contract should be periodically awarded to the petitioner alone. The respondent being a Village President is bound by the Tender Transparency Act and the Rules framed thereunder and the various other Government orders issued, by which they have to invite competitive bids and thereafter award the contract. Therefore, the prayer sought for cannot be granted.

5. Accordingly, the Writ Petition fails and the same is dismissed. However, this will not prevent the petitioner from participating in tender, which may be invited by the respondent Panchayat.

6. The learned Counsel for the petitioner submitted that certain amounts were paid by him, however, he is not permitted to execute the work. If that be the case, then the petitioner has to independently agitate the same by representing before the appropriate forum and in an appropriate manner.

7. Accordingly, the Writ Petition is dismissed with the above observations. No costs. Consequently, connected Miscellaneous Petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The District Collector-cum-
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2. The Block Development Officer,
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(Grade-I), Chennai 600 129

+1 cc to R.Anitha Advocate sr.61508
+1 cc to Government Pleader sr.61397

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