

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-10-2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.33020 of 2015

A.Bahurudeen @ Cittyabu

... Petitioner

Vs.

1. The District Collector,
Ariyalur,
Ariyalur District.

2. Ariyalur Municipality
Rep. by its Commissioner,
Ariyalur,
Ariyalur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records pertaining to the Tender Notice No.3438/E1/2015 impugned order passed by the 2nd respondent dated 3.10.2015 is illegal and quash the the same.

For Petitioner : Mr.G.Ranganathan

For Respondents : Mr.RM.Muthukumar
Government Advocate

ORDER

The petitioner is a member of 5th Ward in Ariyalur Municipality. A resolution was passed on 10.9.2015 by the Ariyalur Municipality for construction of the storm water drainage at a total cost of Rs.4 crores for which, 5th ward was selected for restoration of road and construction of storm water and drainage at a total cost of Rs.26,10,000/-. However, the second respondent passed the impugned order dated 3.10.2015 calling for on-line tender by fixing the tender dated 15.10.2015

for the work valued at Rs.4 crores to restore the selected roads and to construct storm water drainage.

2. The petitioner's Ward namely, 5th Ward was deleted from the resolution dated 10.9.2015 and therefore, the petitioner has approached this Court challenging the impugned order calling for on-line tender by fixing the tender dated 15.10.2015 for the work valued at Rs.4 crores to restore the selected roads and to construct storm water drainage.

3. However, during the hearing on 28.10.2015, it has been submitted by Mr.RM.Muthukumar, the learned Government Advocate appearing for the respondents that the 5th Ward was allotted for a sum of Rs.10 lakhs from the general fund and therefore, there is no question of deletion.

4. Since the petitioner was allotted from and out of general fund, this Court directed the respondents to produce documents to clarify the doubt with regard to discrepancy in the allotment of amount.

5. When the matter is called today, documents were produced. Further, it is submitted by the learned counsel appearing for the respondents that Rs.20 lakhs has also been allotted to the 5th Ward of Ariyalur Municipality and the work will be executed at the earliest and the Government has also been addressed in this regard.

6. Hence, the respondents are directed to execute the work at the earliest.

7. With the above direction, the writ petition is disposed of. No costs. Consequently the connected M.P.No.2 of 2015 is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vk

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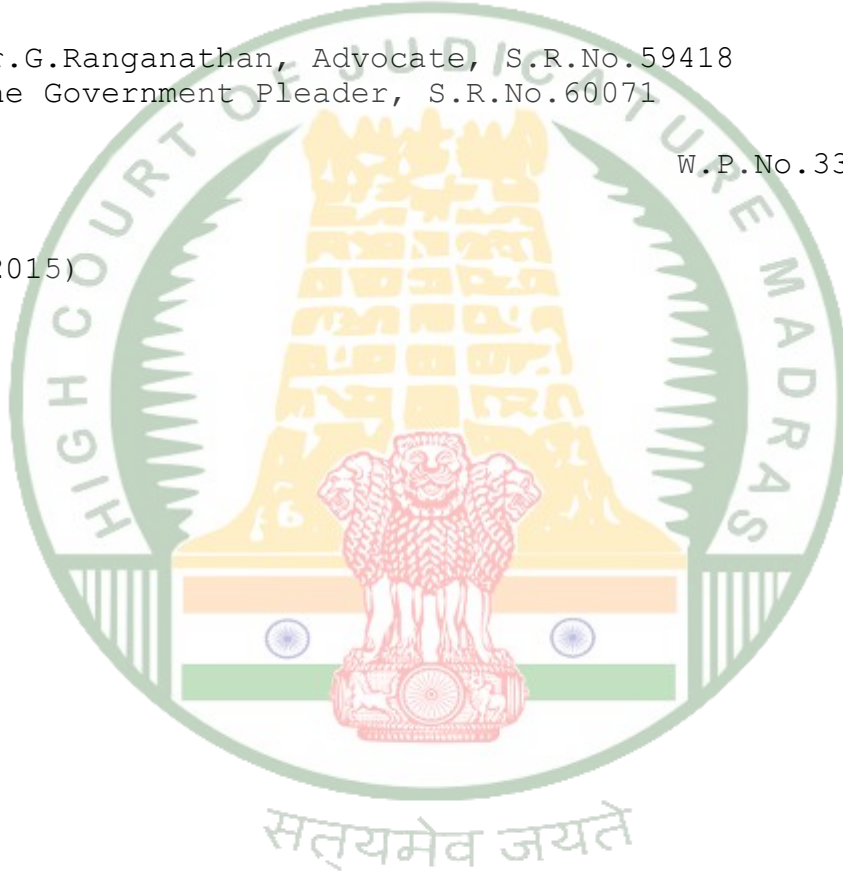
To:

1. The District Collector,
Ariyalur,
Ariyalur District.
2. Ariyalur Municipality
Rep. by its Commissioner,
Ariyalur,
Ariyalur District.

+1cc to Mr.G.Ranganathan, Advocate, S.R.No.59418
+1cc to the Government Pleader, S.R.No.60071

W.P.No.33020 of 2015

MG (CO)
CA(20/11/2015)



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