

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.8789 of 2015

Date: 31-03-2015

Between:

S. Narasimha Rao

.. Petitioner

AND

The State of Andhra Pradesh, represented by its
Principal Secretary, Municipal Administration Department,
Secretariat Hyderabad and 3 others

.. Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Writ Petition No.8789 of 2015

ORDER:

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This writ petition is filed for a mandamus declaring the action of the 2nd respondent to reconsider/call for fresh tenders by cancelling the tender notification vide notice Roc.No.2394/2015/A2, dated 17-03-2015 only to the extent of item No.19.

2. The case of the petitioner is that the petitioner's Sangam is registered vide Registration No.C/108 being formed by the persons doing petty business on footpaths. The 2nd respondent issued a tender-cum-open auction notification dated 17-03-2015 vide Roc.No.2394/2015/A2 inviting tenders-cum-open auction

with regard to 19 items mentioned therein. Item-19 is with regard to collection of tax from the persons doing petty business on the road margin for the period from 01-04-2015 to 31-03-2016 and the auction was conducted on 26-03-2015 in which the 4th respondent became highest bidder knocking down the bid in his favour for an amount of Rs.30,69,000/-. Thereafter, the petitioner sangam approached the 2nd respondent and made a representation on 27-03-2015 stating that if they were given an opportunity, they would pay an amount of Rs.50,00,000/- for item No.19, but the 2nd respondent has not taken any action on the said representation. Aggrieved by the same, the present writ petition has been filed.

3. Heard the learned counsel for the petitioner, who stated that the offer made by the petitioner is much more than the offer given by the 4th respondent in the tender-cum-open auction, as such, the respondent authorities have to necessarily consider the offer made by the petitioner.

4. On the other hand, Sri A. Panduranga Rao, learned standing counsel for respondents 2 and 3 stated that when once the auction is conducted and the 4th respondent was declared as highest bidder, question of considering the offer made by the petitioner does not arise.

5. In this case, the representation dated 27-03-2015 does not show that there are any irregularities committed in the tender process, but only stated that in view of offering of highest amount than the amount knocked down in the tender, the request of the petitioner has to be considered. I am afraid that if such a request is considered, there will not be any sanctity for the tender process and there will be never ending process. Therefore, this court is not in a position to accept the contentions of the petitioner and consequently, no relief can be granted to the petitioner as prayed for, as the writ petition is totally devoid of merit, and hence, the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 31-03-2015

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