

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.01.2016

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.9165 of 2015

&

M.P.No.1 of 2015

Vasanthi

..Petitioner

Vs.

- 1.State of Tamil Nadu,
Represented by its Secretary(Co-operative),
Fort St. George, Chennai-600 009.
- 2.The Registrar of Co-operative Societies,
EVR Road, Kilpauk,
Chennai-600 010.
- 3.The District Collector, Namakkal-637 003.
- 4.The Joint Registrar of Co-operative Societies,
Collectorate, Namakkal-637 003.
- 5.The Deputy Registrar of Co-operative Societies,
Trichy Main Road,
Namakkal-637 001.
6. The President,
S1223, Chandrasekarapuram Primary Agricultural
Co-operative and Credit Society,
Chandrasekarapuram-637 401,
Rasipuram Tk, Namakkal District.

..Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the first respondent to ensure that the Tender Transparency Act 1998 is strictly followed in the construction of Godowns for 6th respondent primary agricultural co-operative and credit society pursuant to financial assistance received from NABARD and consequently direct the first respondent to fix responsibility and take action against those respondents who have violated the Tender Transparency Act in constructing Godown for 6th Respondent Primary Agricultural Co-operative and Credit Society without calling for tenders.

For Petitioner .. Mr.J.Srinivasa Mohan

For Respondents .. Mrs.T.P.Savitha
Government Advocate for R1

Mr.L.P.Shanmughasundaram
Special Government Pleader for
R2 to R6

ORDER

This writ petition has been filed on the ground that without following the procedure as contemplated under the Tamil Nadu Tender Transparency Act, 1998 read with Rules, an attempt is being made by the sixth respondent to put up construction.

2. In the counter affidavit filed by the sixth respondent, it has been stated that since the value of the construction is only 12.50 lakhs, as per Section 16(d) of the Tamil Nadu Tender Transparency Act, 1998 read with Rule 33 of the Tamil Nadu Tender Transparency Rules, 2000, there is no necessity to follow the procedure. The Society itself has taken up construction on its own monitored by the Construction Supervising Committee. It is also stated that entire construction is over.

3. In view of the same, the prayer sought for in this writ petition is no longer survives. However, taking into consideration the fact that the complaint has been made by the petitioner, liberty is given to make a representation to the second respondent against the violation, if any, committed by the sixth respondent, if so advised. As and when the representation is received by the second respondent, he shall pass orders on the same, within a period of six weeks thereafter.

4. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

raa

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Secretary(Co-operative),
State of Tamil Nadu,
Fort St. George, Chennai-600 009.
 - 2.The Registrar of Co-operative Societies,
EVR Road, Kilpauk,
Chennai-600 010.
 - 3.The District Collector,
Namakkal-637 003.
 - 4.The Joint Registrar of Co-operative Societies,
Collectorate, Namakkal-637 003.
 - 5.The Deputy Registrar of Co-operative Societies,
Trichy Main Road,
Namakkal-637 001.
 - 6.The President,
S1223, Chandrasekarapuram Primary Agricultural
Co-operative and Credit Society,
Chandrasekarapuram-637 401,
Rasipuram Tk, Namakkal District.
- + 1 cc to Mr.J.Srinivasa Mohan, Advocate Sr 4301
- + 1 cc to Mr.L.P.Shanmughasundaram, Advocate Sr 4672
- + 1 cc to The Govt.Pleader, Sr 5003

KR/4/2/16

सत्यमेव जयते

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