



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABUWrit Petition (MD) No.1139 of 2016
and W.M.P (MD) Nos.947 and 948 of 2016

M.Beema

... Petitioner

Vs.

1.The Commissioner,
Tirunelveli Municipal Corporation,
Tirunelveli.2.The Assistant Commissioner,
Melapalayam Ward Office,
Tirunelveli Municipal Corporation,
Tirunelveli.

... Respondents

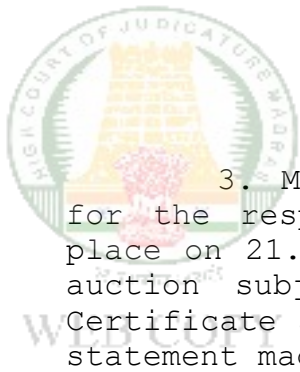
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the impugned tender notification published by the first respondent in Malai Malar daily dated 01.01.2016 and quash the same in so far as item Nos.5 and 6 are concerned and consequently direct the respondents to issue the tender notification by giving vide publication with sufficient time to get the no due and solvency certificate.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.Aayiram K.Selvakumar
Government Advocate**ORDER**

Mr.Aayiram K.Selvakumar, learned Government Advocate takes notice for the respondents and by consent of both parties, the main Writ Petition itself is taken up for final disposal.

2. Though this Writ Petition is filed challenging the tender notification issued insofar as item Nos.5 and 6 are concerned, the learned counsel appearing for the petitioner submitted that the petitioner would be satisfied if the respondents permit her to produce the Solvency Certificate and No Objection Certificate from the competent authority on or before 27.01.2016, since the very tender document, imposing condition to furnish those documents, itself was made available to the petitioner only on 12.01.2016 even though the publication was made on 01.01.2016 in the Newspaper. It is also brought to the notice of this Court that the petitioner made necessary application before the competent authority for issuing Solvency Certificate as well as No Objection Certificate and the authority is yet to give those documents to the petitioner.



3. Mr.Aayiram K.Selvakumar, learned Government Advocate appearing for the respondents submitted that since the auction is going to take place on 21.01.2016, the petitioner will be permitted to take part in the auction subject to a condition that she should produce the Solvency Certificate and No Objection Certificate on or before 27.01.2016. The said statement made by the learned Government Advocate is recorded.

4. In view of the above statement made by the learned Government Advocate, I find that the petitioner cannot have any grievance, as the learned counsel appearing for the petitioner has also restricted the relief only to that extent.

5. Accordingly, this Writ Petition is disposed of by recording the statement made by the learned Government Advocate as stated supra. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

To

1.The Commissioner,
Tirunelveli Municipal Corporation,
Tirunelveli.

2.The Assistant Commissioner,
Melapalayam Ward Office,
Tirunelveli Municipal Corporation,
Tirunelveli.

+1cc to M/S.H.Arumugam, Advocate in SR.No. 3216

+1cc to M/S.Aryiram K.Selvakumar, Advocate in SR.No. 3171

TS/20.01.2016/2P-5C/PM-MP/SAR II

W.P (MD) No.1139 of 2016

20.01.2016