

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.30316 of 2017

K.Sivakumar

... Petitioner

vs.

The Superintending Engineer,
Building and Maintenance,
PWD Campus, Kumarasampatti,
Hasthampatty,
Salem - 7.

.... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari Mandamus to call for the records of the respondent's letter No.484 m/Va.Aa 1/Ko.38/2017 dated 27.10.2017 and quash the same as illegal and consequently direct the respondent to register the petitioner's name as a government first class contractor in the respondent's department by giving exemption of registration fee as per the Technical Officers Guide 2004.

For Petitioner : Mr.K.Gandhikumar

For Respondents : Mr.P.V.Selvakumar
Additional Government Pleader

O R D E R

The petitioner is aggrieved against the communication of the respondent dated 27.10.2017 returning the application of the petitioner for registering him as First Grade Contractor in the respondent Department.

2. The reason stated in the impugned communication for returning the application is that the required fee was taken by way of demand draft in the name of the Superintendent Engineer (Building and Maintenance) P.W.D., Salem, when no such Bank account is maintained in the name of such official.

3. Learned counsel for the petitioner submitted that when the competent person to receive the application is the respondent, in whose name the Demand draft has been taken, without even applying his mind to the facts and circumstances,

the respondent has returned the application by stating and erroneous reason.

4. Learned Additional Government Pleader fairly submitted that the respondent will consider the application when it is represented with the required fees.

5. Accordingly, this writ petition is allowed and the impugned order is set aside and the matter is remitted back to the respondent for considering the claim of the petitioner for registering himself as the First Grade Contractor after receiving the necessary fees towards such purpose. Such exercise shall be done by the respondent within a period four weeks form the date of receipt of a copy of the order. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

vsi

TO

The Superintending Engineer,
Building and Maintenance,
PWD Campus, Kumarasampatti,
Hasthampatty,
Salem - 7.

+lcc to Mr.K.Gandhi Kumar, Advocate SR.No.92735
+lcc to Government Pleader SR.No.92139

सत्यमेव जयते

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PPA (CO)
GN(26/12/2017)

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