

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.32282 to 32287 of 2017

and

WMP Nos.35539 to 35544 of 2017

Dharani Hi-Tech Projects Pvt Ltd.,
No.28, Annavasal Street,
Mannargudi 614 001,
Rep. by its Authorised Signatory
V.Sridharan

...Petitioner in
W.P.32282/17
...Petitioner in
W.P.32283/17
...Petitioner in
W.P.32284/17
...Petitioner in
W.P.32285/17
...Petitioner in
W.P.32286/17

M.Illayaraja

K.R.Ravi

S.Dh.H.Natarajan

S.Dh.H.Natarajan

Dharani HI-Tech Projects Pvt Ltd.,
No.28, Annavasal Street,
Mannargudi 614 001,
Rep. by its Authorised Signatory,
V.Sridharan

...Petitioner in
W.P.32287/17

सत्यमेव जयते
Vs

1.The District Collector,
Thiruvarur.

2.The Project Director, R.D.,
District Rural Development Agency,
Thiruvarur.

...Respondents
in W.Ps.32282, 32283, 32284,
32286/17

1.The District Collector,
Nagapattinam.

2.The Project Director, R.D.,
District Rural Development Agency,
Nagapattinam.

...Respondents
in W.P.32285/17 & 32287/7

Common Prayer in all W.Ps.:—Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondents herein to accept the technical and financial bids of the tender which was submitted by the petitioner on 03.12.2017 with respect of the Tender works called for by the second respondent in TN 21-(117, 122, 128, 131,141,142,151,155,162), TN 21-(134 and 144), TN 21-(116, 133) , TN 09-(262), TN 21-(140, 153) and TN 09-(229, 231 and 260) respectively dated 27.10.2017 consequently directing the second respondent to consider the petitioner's bid along with other Contractor's bids.

For Petitioner : Mr.R.Nalliyappan
in all W.Ps.

For Respondents: Mr.R.Govindasamy
in all W.Ps. Special Government Pleader

COMMON ORDER

In all these writ petitions, the respective writ petitioner seeks for a mandamus directing the respondents to accept the technical and financial bids of the tender submitted by the respective petitioners in respect of the tender works called by the second respondent and consequently, to direct the second respondent to consider the respective petitioner's bid along with contractors bid.

2.Heard Mr.R.Nalliappan, learned counsel appearing for the petitioners and Mr.R.Govindasamy, learned Special Government Pleader appearing for the respondents.

3.The grievance of the petitioners in all these writ petitions is that though the petitioners repeatedly participated in the earlier tender process time and again as and when a notification is issued calling upon the tenders, the respondents are not proceeding further with the tender process merely because these petitioners are participating in the said tender. Therefore, the present apprehension of the petitioners before this court is that the respondents will not proceed further with the present tender process and therefore, a direction is to be issued as sought for in these writ petitions. I do not think that the petitioners can seek for a positive mandamus as sought for in these writ petitions, as it is for the respondents to consider and decide the same based on the terms and conditions of the tender and also upon perusing the qualification criteria fixed in respect of the work for which the tender is called for. If the petitioners have already submitted the tender documents, needless to say that the respondents will consider the same in accordance with the terms and conditions of the tender notification and

proceed to pass appropriate orders accordingly.

4.Learned Special Government Pleader for the respondents based on instructions submitted that the tender process is going on and the scrutiny of the documents submitted by the parties including that of the petitioners are being done. When that being the submissions made by the learned Government Pleader, I do not think that the petitioners can have any apprehension as projected in these writ petitions. Accordingly, all these writ petitions are disposed of, by recording the above submissions made by the learned Special Government Pleader. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

- 1.The District Collector,
Thiruvarur.
- 2.The Project Director, R.D.,
District Rural Development Agency,
Thiruvarur.
- 3.The District Collector,
Nagapattinam.
- 4.The Project Director, R.D.,
District Rural Development Agency,
Nagapattinam.

+1cc to Government Pleader SR.No.88534

W.P.Nos.32282 to 32287 of 2017-

GN(15/12/2017)