

In the High Court of Judicature at Madras

Dated : 13.12.2017

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

and

The Honourable Mr.Justice K.RAVICHANDRABAABU

Writ Petition No.32418 of 2017 & WMP.No.35707 of 2017

V.Munikrishnan ...Petitioner

Vs

- 1.The Principal Secretary to Government,
Government of Tamil Nadu, Secretariat Chennai-9.
- 2.The Chief Secretary to Government,
Highways Department & Minor Ports
Department, Government of Tamil Nadu, Secretariat
Chennai-9.
- 3.The Chief Director, office of the
Highways Department, Guindy Chennai-25.
- 4.The Chief Engineer, office of the
Highways Department (C&M), Guindy
Chennai-25. ...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing respondents 2 to 4 to conduct all the tender through on-line tender instead of closed tender/sealed tender for the Tamil Nadu State Highways Department by considering my representation dated 27.11.2017.

For Petitioner : Mr.E.Sathiyaraj
For Respondents : Mr.T.N.Rajagopalan, SGP

Order of the Court was made by T.S.SIVAGNANAM, J

Mr.T.N.Rajagopalan, learned Special Government Pleader accepts notice for the respondents. Heard both.

2. This writ petition has been filed as a public interest litigation seeking to direct respondents 2 to 4 to conduct all

the tender through on-line tender instead of closed tender/sealed tender for the Tamil Nadu State Highways Department by considering his representation dated 27.11.2017.

3. We find from the averment contained in the affidavit in support of this writ petition that the petitioner is not a registered contractor of the Highways Department nor participated in any tender invited by the Department.

4. The petitioner would state that he is an agriculturist.

5. The affidavit does not clearly state as to why the tender process adopted by the Highways Department lacks transparency. Copies of the tender notifications issued since March 2017 by the respondent Department indicate that they can be downloaded from the official website and thereafter, they have to be submitted. Physical submission of the completed tender forms is causing problems and it lacks transparency in the process. Further, it is not clear as to how the petitioner is of the opinion that this process lacks transparency. Therefore, we find that in the given facts and circumstances, no Mandamus as sought for can be issued.

6. Accordingly, the writ petition is dismissed. No costs. Consequently, the connected WMP is also dismissed.

7. However, this will not prevent the aggrieved person from approaching the appropriate forum for necessary action.

Sd/-
Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

1.The Principal Secretary to
Government of Tamil Nadu, Chennai-9.

2.The Chief Secretary to
Government of Tamil Nadu,
Highways Department &
Minor Ports Department, Chennai-9.

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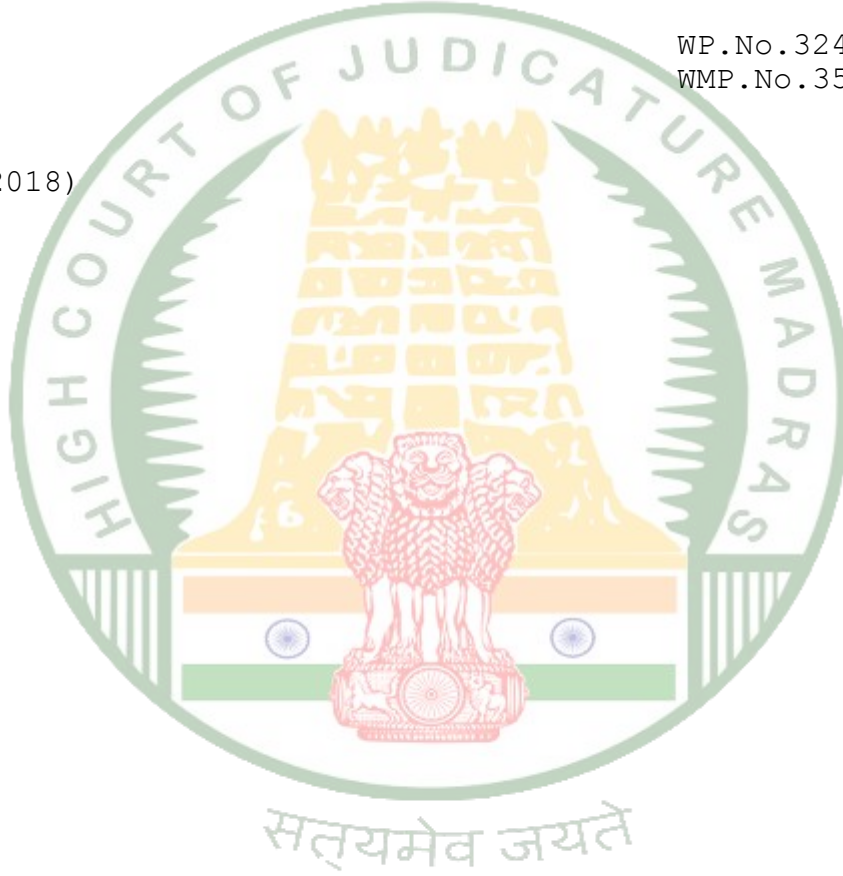
3.The Chief Director,
office of the Highways Department,
Chennai-25.

4.The Chief Engineer,
office of the Highways Department (C&M),
Chennai-25.

+1cc to Mr.E.SATHIYARAJ, Advocate, S.R.No. 88892
+1cc to the Government Pleader, S.R.No. 88501

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WMP.No.35707 of 2017

NMI (CO)
TR(03/01/2018)



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