

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :14.02.2017

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P.Nos.3892 & 3893 of 2017

& W.M.P. Nos.3962 & 3963 of 2017

W.P.No.3892/2017

1.P.Balaji
2.R.T.Mani
3.K.D.Rajendran ..Petitioners

Vs.

1.The Arni Panchayat Union,
Rep. By its Commissioner,
Arani.
2.The Block Development Officer,
Arani Panchayat Union,
Arani.
3.Mr.Subramaniam,
Block Development Officer,
Arani Panchayat Union,
Arani. ... Respondents

W.P.No.3893 of 2017

1.S.Kumaran
2.S.Mythili
3.R.Arunmozhi .. Petitioners

vs.

1.The Arani West Panchayat Union,
Rep. By its Commissioner,
Arani.
2.The Block Development Officer,
Arani West Panchayat Union,
Arani.

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3.Mr.K.S.Prabhakaran
Commissioner,
Arani West Panchayat Union,
Arani.

..Respondents

Prayer: Writ petitions filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents to furnish tender schedule, bid documents and forms with estimates to the petitioners forthwith before opening the bids and/or finalising the tender pursuant to the tender Notice issued in Na.Ka.No.A3/345/2017 & A2/464/2017, dated 07.02.2017.

For Petitioners in both WPs : Mr.Richardson Wilson
For Respondents
in both WPs : Mr.M.Elumalai,
Government Advocate
for R1 & R2

COMMON ORDER

There are two writ petitions filed seeking for issuance of Writ of Mandamus directing the respondents to furnish tender schedule, bid documents and forms with estimates to the petitioners forthwith before opening the bids and/or finalising the tender pursuant to the tender Notice issued in Na.Ka.Nos.A3/345/2017 and A2/464/2017, dated 07.02.2017.

2.Since the petitioners are all contractors who worked with the first respondent on previous tenders, the first respondent has adopted an opaque, illegal and secretive process in the present tender. Although the tender notice was despatched to all the previous contractors and also affixed in the notice board of the office of the first respondent, the tender schedule, which contains the form and the bid document which has to be submitted to the first respondent, has not been made available to the petitioners nor made available in the public forum. On the other hand, the first respondent is distributing the tender schedule, bid form/document only to selective persons identified by the third respondent. Therefore, the petitioners, after making representation to them, were advised to approach before this Court.

3.Mr.M.Elumalai, earned Government Advocate takes notice for respondents 1 and 2.

4.Considering the submissions of the learned counsel for the petitioner, the first respondent is hereby directed to furnish the tender schedule, bid documents and forms with estimates to the petitioners forthwith during the course of the day. Although

this Court takes up the matter at 4.45 p.m., since the tenders are to be opened at 4.00 p.m., on 15.02.2017, the first respondent is directed to furnish the same before 10.00 a.m. On 15.02.2017.

5.The writ petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner,
Arni Panchayat Union,
Arani.

2.The Block Development Officer,
Arani Panchayat Union,
Arani.

+2cc to Mr.Richardson Wilson, Advocate, S.R.No.9906

ks(CO)
md(02/03/2017)

W.P.Nos.3892 & 3893 of 2017
& W.M.P. Nos.3962 & 3963 of 2017

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