

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2017

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

Writ Petition No.29427 of 2016
and W.M.P.No.25474 of 2016

S.Mahadevan

... Petitioner

vs.

1.The Regional Deputy Commissioner (North),
Corporation of Chennai,
No.61, Basin Bridge Road,
Chennai - 21.

2.The Assistant Commissioner,
Zone 2, Corporation of Chennai,
No.127, Padasalai Street,
Manali, Chennai - 68.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to open the limited e-tenders in Tender Notice in Z.O.II.C.No.E1/2955/2016 dated 03.08.2016 on the file of the second respondent for the works 1 to 5, 8 to 14 and 17 to 19 participated by the petitioner according to the provisions of the Tamil Nadu Transparency in Tenders Act, 1998 and the Tamil Nadu Transparency in Tenders Rules, 2000.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.V.Ayyadurai,
Addl. Advocate General
assisted by
Mr.P.V.Selvakumar

ORDER

The writ petition has been field by the petitioner seeking a direction to the respondents to open the limited e-tenders in Tender Notice in Z.O.II.C.No.E1/2955/2016 dated 03.08.2016.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondents.

3.In the counter affidavit filed by the second respondent, it is stated as follows:

"7.I respectfully submit that out of 20 Nos. of limited e-Tender a total 15 Nos. of limited e-Tenders were opened due to no one participated in the 5 nos. of tenders. Further after opening of 15 nos. of tender it was found that the petitioner alone has applied for the limited e-tenders. Since the petitioner tender is a single tender being 1st call, the e-tenders applications of the petitioner were cancelled and the same has been communicated to the petitioner vide letter dated 23.08.2016 and the petitioner has acknowledged the same on 26.08.2016."

4.In view of the same, nothing survives for consideration in this writ petition. Accordingly, the writ petition stands closed. However, the E.M.D. amount for all the works deposited by the petitioner will have to be returned by the respondents within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

mmi

To

1.The Regional Deputy Commissioner (North),
Corporation of Chennai,
No.61, Basin Bridge Road,
Chennai - 21.

2.The Assistant Commissioner,
Zone 2, Corporation of Chennai,
No.127, Padasalai Street,
Manali, Chennai - 68.

+1cc to Mr.P.V.Selvakumar,Advocate sr.20603

+1cc to M/s.S.Doraisamy,Advocate sr.20526

W.P.No.29427 of 2016

vsn(co)
ss(21/4/2017)