

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2017

CORAM

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P.No.42552 of 2002

A.Paul

... Petitioner

Vs.

1.The Chief Engineer,
Highways & Rural Works Department,
Chepauk,
Chennai-5.

2.The Superintending Engineer,
Highways & Rural Works Department,
Tirunelveli District.

3.The Divisional Engineer,
Highways & Rural Works Department,
Nagercoil,
Kanyakumari District.

4.The Secretary to Government,
Government of Tamil Nadu,
Highways & Rural Works Department,
Secretariat,
Fort St. George,
Chennai-600 009.

5.R.Balakrishnan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, to call for the records in proceedings Se.Mu.Ka.D.R.B. dated 06.11.2002 on the file of the 2nd respondent, quash the same as illegal, incompetent and without jurisdiction and further direct the 4th respondent to ensure that the works are allotted in accordance with the Tamil Nadu Transparency in Tender Act, 1988.

For Petitioner : Mr.V.Raghavachari
For Respondents : Mr.A.Zakkir Hussain,
Government Advocate
for R1 to R4

ORDER

The prayer sought for in this Writ Petition is for a Writ of Certiorarified Mandamus, to call for the records in Proceedings No.Se.Mu.Ka.D.R.B., dated 06.11.2002 on the file of the respondent No.2, quash the same and direct the respondent No.4 to ensure that the works are allotted in accordance with the Tamil Nadu Transparency in Tender Act.

2.Heard Mr.V.Raghavachari, learned counsel appearing for the petitioner and Mr.A.Zakkir Hussain, learned Government Advocate appearing for the respondent Nos.1 to 4.

3.The very impugned order under challenge in this Writ petition is dated 06.11.2002 in and by which the respondent No.2 has directed the petitioner to get back the causing deposit made by the petitioner as he had not been awarded the contract pursuant to the tender.

4.On perusal of the impugned order, it shows that the tender was called for expansion of the road at Nagerkoil as per the tender Notification dated 26.07.2002. Pursuant to the said tender notification, the successful tenderer seems to have been given the work and the same would have been over long back. Therefore, as of now, nothing survives in this Writ Petition, as the very prayer sought for would become infructuous, as it nothing but the returning of the deposit money made by the petitioner in the said tender. This position is not disputed by the learned counsel appearing for the petitioner.

In view of the above, nothing survives for further adjudication in this Writ Petition and the same is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mps

To

1.The Chief Engineer,
Highways & Rural Works Department,
Chepauk,
Chennai-5.

2.The Superintending Engineer,
Highways & Rural Works Department,
Tirunelveli District.

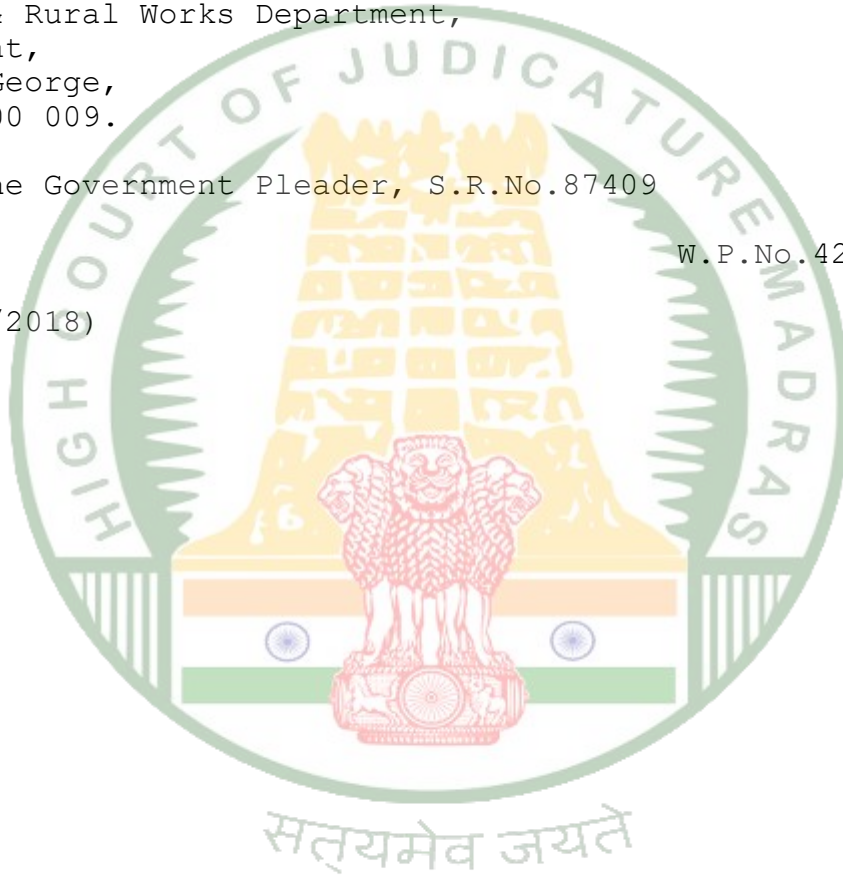
3.The Divisional Engineer,
Highways & Rural Works Department,
Nagercoil,
Kanyakumari District.

4.The Secretary to Government,
Government of Tamil Nadu,
Highways & Rural Works Department,
Secretariat,
Fort St. George,
Chennai-600 009.

+lcc to the Government Pleader, S.R.No.87409

W.P.No.42552 of 2002

GJ(CO)
RRK(11/01/2018)



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