



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2017

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.10640 of 2017

and

WMP (MD) Nos.8119 and 8120 of 2017

N.Kannan

: Petitioner

-vs-

1.The Government of Tamil Nadu

rep. by the Director,
Rural Development and Panchayat Raj Department,
Chennai-600 009.

2.The Project Director,

District Rural Development Agency,
Dindigul District, Dindigul.

3.The Executive Engineer,

Rural Development,
District Rural Development Agency,
Dindigul District,
Dindigul.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a writ of Certiorarified Mandamus, to call for the records relating to the impugned undated order of the respondents 2 and 3 herein received by the petitioner on 02.06.2017 through online, quash the same and further direct the respondents to open and evaluate the price bids submitted by the petitioner herein dated 29.03.2017 through online for package No.TN-05-02, TN-05-06, TN-05-07, TN-05-29, TN-05-32, TN-05-33, TN-05-43, TN-05-44, TN-05-48, TN-05-49, TN-05-50, TN-05-51 and TN-05-52 in pursuant to the Tender Reference No.DIPR/1028/TENDER/2017.

For Petitioner : Mr.K.Chellapandian,
Senior counsel for Mr.D.Sivaraman
For Respondents : Mr.B.Pugalendhi
Addl. Advocate General
assisted by Mr.D.Muruganandham
Additional Government Pleader

O R D E R

The prayer sought for in this writ petition is to call for the records relating to the impugned order of the respondents 2 and 3 received by the petitioner on 02.06.2017 through online, quash the same and further to direct the respondents to open and evaluate the price bids submitted by the petitioner, dated 29.03.2017 through online for package No.TN-05-02, TN-05-06, TN-05-07, TN-05-29, TN-05-32, TN-05-33, TN-05-43, TN-05-44, TN-05-48, TN-05-49, TN-05-50, TN-05-51 and TN-05-52 in pursuant to the Tender Reference No.DIPR/1028/TENDER/2017.

2.Indisputably, the challenge in the writ petition is the order passed by the 2nd respondent, pursuant to the tender notification.

3.Heard Mr.K.Chellapandian, the learned Senior counsel appearing for the petitioner and Mr.B.Pugalendhi, the learned Additional Advocate General appearing for the respondents and perused the materials available on record.

4.It is seen that under section 11 of the Tamil Nadu Transparency in Tenders Act 1998, an appeal remedy is available to the petitioner. Since the petitioner is having an effective alternative remedy, this court is of the opinion that the present writ petition cannot be entertained.

5.In such view of the matter, the writ petition is dismissed giving liberty to the petitioner to approach appropriate forum within a period of one week from the date of receipt of the order copy. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To,

1.The Director of Tamil Nadu,

Rural Development and Panchayat Raj Department, Chennai-600 009.

2.The Project Director, District Rural Development Agency,
Dindigul District, Dindigul.

3.The Executive Engineer, Rural Development,
District Rural Development Agency,Dindigul District,
Dindigul.

+1CC to M/S.D.Sivaraman, Advocate, SR.No. 60266

+1CC to the Special Government Pleader SR.No. 60536

W.P.(MD)No.10640 of 2017

14.06.2017