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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN
W.P(MD)No.10946 of 2017
and
W.M.P(MD)Nos.8372 and 8373 of 2017

Malligai Sangamam Angal Thuppuvaravu Paniyalargal,
Self Help Group, through its Secretary,
A.Karthikeyan,
S/o.Arumugam,
1/359, Durgapur Nagar,
Keela Vadakarai, Periyakulam,
Theni District. ... Petitioner

Vs.

1.The District Collector,
Theni District,
Theni .

2.The Commissioner
Periyakulam Municipality,
Periyakulam,
Theni District. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records of the second respondent Na.Ka.No.3022/2016/H1 dated 29.05.2017 and quash the same as illegal.

For Petitioner : Mr.M.A.M.Raja
For Respondents : Mr.J.Gunaseelan Muthiah – R1
Government Advocate
: Mr.M.Karuppusamy Pandian – R2
Standing Counsel

O R D E R

This writ petition has been filed, seeking to quash the impugned order of the second respondent dated 29.05.2017 made in Na.Ka.No.3022/2016/H1, by which a tender from the public was called for to do the scavenger works for the Periyakulam Municipality without any prior notice to petitioner Self Help Group.

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2. Heard the learned counsel on either side.

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3. It is the case of the petitioner that Malligai Sangamam Angal Thuppuvaravu Paniyalargal / petitioner herein is a Self Help Group, which is responsible for executing the scavenger work in the second respondent Municipality and the remuneration for the said group was also fixed by the first respondent till the year 2017. All of a sudden the second respondent passed the impugned order dated 29.05.2017, by which, they called for a tender from the public, for the scavenger works for Periyakulam Municipality without any prior notice to the Self Help Group. Aggrieved by the same, the petitioner-Self Help Group has submitted a representation, dated 05.06.2017 to the respondents in this regard and pursuant to the inaction on the part of the respondents, the present writ petition has been filed for the relief as stated supra.

4. After elaborate argument, the learned Counsel for the second respondent would fairly submit that the second respondent is inclined to publish a fresh notification calling for tenders for the scavenger work and the members of the petitioner Self Help Group will be permitted to participate in the tender.

5. In view of the above submission, this petition is disposed of, leaving it open to the second respondent to publish a fresh tender notification, in which, the petitioner can also participate. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

1.The District Collector,
Theni District,
Theni .
2.The Commissioner
Periyakulam Municipality,
Periyakulam,
Theni District.

+1cc to M/S.M.Karuppusamy Pandian, Advocate SR.No. 77481
+1cc to Special Government Pleader, SR.No. 77830
+1cc to M/S.M.A.M.Raja, Advocate SR.No. 77900

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JM/SKN RSK/SAR 3/21.09.2017/2P/6C