



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2017

CORAM:

THE HONOURABLE **MR. JUSTICE K. RAVICHANDRABAABU**

W.P. (MD) No. 2201 of 2017

and

WMP (MD) No. 1822 and 1823 of 2017

S. Hariharan

... Petitioner

Vs.

The Joint Commissioner/
Executive Officer/Thakkar,
Arulmigu Mariamman Thirukovil,
Samayapuram,
Tiruchirappalli District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari by calling for the entire records pertaining to the public auction/tender notice issued by the respondent in Na.Ka.No.498/1426/C4 dated 19.01.2017 in connection with the granting licence for running a canteen (Vegetarian) Arulmigu Mariamman Thirukovil, residential complex, Samayapuram, Tiruchirappalli and quash the same in so far as it relates to the condition Nos. 33 and 51 of the said notice is concerned.

For Petitioner : Mr. R. Anand

For Respondent : Mr. K. Govindarajan

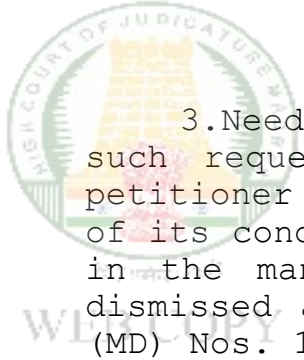
O R D E R

The petitioner is aggrieved against the condition Nos. 33 and 51 imposed in the tender notification dated 19.01.2017. Hence, he filed this writ petition.

2. Heard both sides.

3. Mr. Govindarajan, learned Standing Counsel, who takes notice for the respondent, based on instructions, submitted that tender has been postponed and new tender notification will be issued later. Therefore, he contended that the present writ petition has become infructuous.

4. The learned counsel for the petitioner however submitted that the condition Nos. 33 and 51 imposed in the present tender notification are onerous and therefore the respondent may be directed to re-consider the issue involved in respect of those two conditions while issuing a fresh notification.



3. Needless to state that it is for the respondent to consider such request and issue proper tender notification. Even if the petitioner is aggrieved by the issuance of fresh notification or any of its condition, it is open to the petitioner to challenge the same in the manner known to law. Accordingly, this writ petition is dismissed as infructuous. No costs. Consequently, connected W.M.P. (MD) Nos. 1822 and 1823 of 2017 are also dismissed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

The Joint Commissioner
Executive Officer/Thakkar,
Arulmigu Mariamman Thirukovil,
Samayapuram,
Tiruchirappalli District.

+1 CC TO MR. K.GOVINDARAJAN, ADVOCATE, SR NO.7591

+1 CC TO MR. R. ANAND, ADVOCATE SR NO.7658

CM
MAS/PM-PN:20.02..2017:2P/4C

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