

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:26.2.2018
Coram :

The Honourable Mr.Justice K.KALYANASUNDARAM

Writ Petition Nos.209, 1717 and 1730 of 2018
& WMP.Nos.288, 2140 and 2154 of 2018

S.Mahadevan

...Petitioner in
all the WPs

Vs

1.The Commissioner, Greater
Corporation of Chennai,
Chennai-3.

...R1 in all the WPs

2.The Chief Engineer, Bus Route
Roads Department, Greater
Chennai Corporation, Ripon
Building, Chennai-3.

...R2 in WP.209/
2018 & R3 in WPs.
1717 & 1730/2018

3.The Superintending Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Ripon Building, Chennai-3.

...R3 in WP.209/
2018 & R2 in WPs.
1717 & 1730/2018

4.The Executive Engineer, Bus
Route Department, Greater
Chennai Corporation, Ripon
Building, Chennai-3.

...R4 in WP.209/
2018

PETITIONS under Article 226 of The Constitution of India praying for the issuance of (i) a Writ of Certiorarified Mandamus to call for the records of the 1st respondent in E-Tender Notification Nos.BRR.C.No.B3/4172/2017-2 dated 22.12.2017 by quashing the same and consequently direct the respondents to issue a fresh E-Tender Notification in respect of the works mentioned in the aforesaid Tender Notifications (WP.No.209 of 2018); (ii) a Writ of Mandamus forbearing the respondents from proceeding with the issuing of work order for execution of the work as mentioned in Tender Notification BRR.C.No.B3/4172/2017-Package 2 dated 22.12.2017 as well as restraining the respondents from allotting the execution of the contract of tender to the bidders (WP.No.1717 of 2018) and (iii) a Writ of Mandamus forbearing the respondents from proceeding with the issuing of work order for execution of the work as mentioned in

Tender Notification BRR.C.No.B3/ 4172/2017-Package-1 dated 22.12.2017 as well as restraining the respondents from allotting the execution of the contract of tender to a single bidder (WP.No.1730 of 2018)

For Petitioner : Mr.E.Kumar
For Respondents: Mr.T.C.Gopalakrishnan

COMMON ORDER

Heard both and perused the records.

2. The petitioner has challenged the tender notification issued by the first respondent dated 22.12.2017 and also seeks to forbear the respondents from proceeding with the issuing of work order for execution of the work as mentioned in tender notification and to restrain the respondents from allotting the execution of the contract of tender to the bidders.

3. The respondents have filed a counter affidavit stating that the tender was already opened on 27.12.2017 in the presence of the petitioner and that the work order was issued to L1 on 30.1.2018.

4. In the light of the above fact, all the three writ petitions are dismissed as infructuous giving liberty to the petitioner to file an appeal in accordance with law. No costs. Consequently, the connected WMPs are also dismissed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner, Greater Corporation of Chennai, Chennai-3.

2.The Chief Engineer, Bus Route Roads Department, Greater Chennai Corporation, Ripon Building, Chennai-3.

3.The Superintending Engineer, Bus Route Roads Department, Greater Chennai Corporation, Ripon Building, Chennai-3.

4.The Executive Engineer, Bus Route Department, Greater Chennai Corporation, Ripon Building, Chennai-3.

RS

+1cc to Mr.C.Gopala Krishnan, Advocate Sr.No.14613

+1cc to Mr.E.Kumar, Advocate Sr.No.14683

+1cc to Mr.S.Doraisamy, Advocate Sr.No.14417

sm:19.3.2018

WP.Nos.209, 1717 & 1730/2018&
WMP.Nos.288, 2140 & 2154/2018