

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.8587 of 2018

M/s.ABU Construction,
Rep. by its Proprietor,
S.Abubakkar Sithick,
245, Gandhi Nagar,
Attur-636 102,
Salem District.

...Petitioner

Versus

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Municipal Administration & Water Supply
Department,
Fort St. George,
Chennai-600 009.

2.The Municipal Commissioner,
Attur Municipality,
Salem-Kadalur Highway,
Attur-636 102,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 2nd respondent herein to forthwith open the Financial Bids in respect of Package No.1 & 2 with reference to the Publication for State Tender Bulletin, dated 15.02.2018, Attur Municipality, Tamil Nadu Urban Road Infrastructure Project 2017-2018 for providing BT Surface to Vadukampatti Road Uppu Odai Road in Ward No.2, New Kallanatham Road in Ward No.7, Perumal Street in Ward No.5 and providing Cement Concrete Road to Kottai Sivan Koil Street & Cross Street in Ward No.1 and Kailasanathar Koil Street in Ward No.10 and for providing BT Surface to Mankundru Road in Ward No.2, Housing Board area in Ward No.33 and Mullaivadi Kallanatham Junction Road in Ward No.5 and providing Cement Concrete Pavement @ North Pavendar Street in Ward No.5 of Salem by considering the Representation of the Petitioner dated 03.04.2018.

For Petitioner : Mr.J.Vinoth
For Respondent : Mr.V.Shanmugasundar (for R1)
Special Government Pleader

Mr.B.Anand (for R2)

O R D E R

The petitioner has filed this writ petition seeking to issue a Writ of Mandamus, directing the second respondent to forthwith open the Financial Bid of the petitioner for packages No.1 and 2 with regard to the publication for State Tender Bulletin dated 15.02.2018, Attur Municipality, Tamil Nadu Urban Road Infrastructure Project 2017-2018.

2.Heard Mr.J.Vinoth, learned counsel appearing for the petitioner, Mr.V.Shanmuga Sundar, learned Special Government Pleader appearing for the first respondent and Mr.B.Anand, learned counsel appearing for the second respondent.

3.The learned counsel for the petitioner submitted that the second respondent floated a tender in the Month of November 2017 in which the petitioner is the successful bidder. But, the tender was canceled by the second respondent and neglected to open the financial bid in order to favour some other parties.

4.The learned Special Government Pleader appearing for the first respondent submitted that the petitioner is not the only tenderer, but two others have also participated in the auction. Financial Bid was not opened due to technical snag and will be opened shortly.

5.Considering the facts and circumstances of the case and the grievance expressed by the petitioner, this Court, without going into the merits of the case, directs the second respondent to pass appropriate orders on the petitioner's representation dated 03.04.2018 on merits and in accordance with law.

6.With the above direction, this writ petition is disposed of. No costs.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

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To

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Municipal Administration & Water Supply
Department,
Fort St. George,
Chennai-600 009.

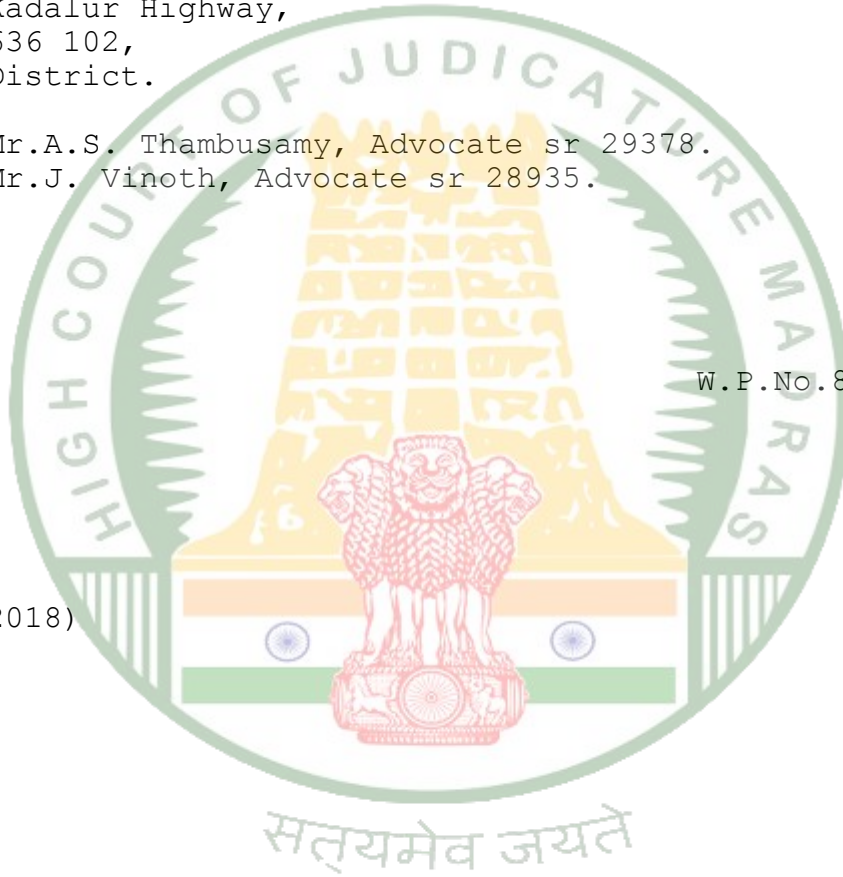
2.The Municipal Commissioner,
Attur Municipality,
Salem-Kadalur Highway,
Attur-636 102,
Salem District.

+1 CC to Mr.A.S. Thambusamy, Advocate sr 29378.

+1 CC to Mr.J. Vinoth, Advocate sr 28935.

W.P.No.8587 of 2018

SP(28/04/2018)



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