



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.05.2018

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

W.P.Nos.11651 & 11652 of 2018

and

Wmp Nos.13640 & 13641 of 2018

M/s.Subaya Constructions Co.Ltd.,
Rep.by its Director Mrs.S.meenakshi,
No.21, Soundarapandian Salai,
Ashok Nagar,
Chennai-600 082.

...Petitioner
in Both WP's

. Vs.

1. The Commissioner,
Vellore City Municipal Corporation,
Infantry Road,
Vellor-632 001.

2. M/s.VVV Constructions Private Ltd.,
Represented by its Managing Director,
Mr.Venkatavijayan,
No.1074, Munusamy Salai,
K.K.Nagar, Chennai-600 078.

... Respondents
in W.P.No.11651 of 2018

1. The Superintending Engineer (Contracts & Monitoring)
Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Staton Road,
Chindadripet, Chennai-600 002.

2. M/s.VVV Constructions Private Ltd.,
Represented by its Managing Director,
Mr.Venkatavijayan,
No.1074, Munusamy Salai,
K.K.Nagar, Chennai-600078.

..Respondents
in W.P.No.11652 of 2018

Common Prayer :

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the first respondent from considering any discounts offered by the Bidders that are not mentioned in the relevant forms furnished in



Section 4(d) of the Letter of Price Bid as per Clause 12.1 of Instructions to bidders and consequently reject the "Modification cover" submitted by the Second Respondent in the Tender proceedings in NCB No.81/2017-18.

WEB COPY

For Petitioner : Mr.S.Prabakaran, Standing Counsel
Assisted B.Natrajan in both Wps

For Respondents : Mr.V.Kadhirvelu, for R1 in both WPs
Special Government Pleader

COMMEN ORDER

The petitioner herein is aggrieved by the modification bid alleged to have offered by the second respondent for the tender called by the first respondent for laying Sewerage Collection System in Vellore Corporation.

2.It is contended by the petitioner that the second respondent had given a small chit not in consonance with the form prescribed for modification of the chit amount. The said chit is likely to be accepted by the tender floating authority, without advertting to the nature of the modification alleged to have been offered by the second respondent, if any modification is offered by the bidders which is likely to reduce the bid amount and going to be of financial advantage to the Municipality, Court need not stand in on the technicality. At the same time similar opportunity can be given to the other contestants of the bid also.

3.This Court while disposing the writ petition, direct the first respondent to accept any modification of the tender amount offered by the contesting party in the prescribed form, if it is not been given in the prescribed form so far. Thereafter can proceed further. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar/Vacation Officer

/true copy/

Sub Asst. Registrar

KP/RPL



To

1. The Commissioner,
Vellore City Municipal Corporation,
Infantry Road,
Vellor-632 001.

2. The Superintending Engineer (Contracts & Monitoring)
Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Staton Road,
Chindadripet, Chennai-600 002.

+2ccs to Mr.B.Natarajan, Advocate in sr.no.32903

W.P.Nos.11651 & 11652 of 2018

CS/04/05/18