

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.28496 of 2015

and

M.P.No.1 of 2015

Sathiyamoorthy

...Petitioner

Versus

- 1.The Government of Tamil Nadu,
Rep.by its Secretary,
Municipal Administration & Water Supply Department,
Secretariat,
Chennai - 9.
 - 2.The Commissioner,
Office of Commissioner,
Municipal Administrations,
Ezhilagam, Cheppak,
Chennai - 5.
 - 3.The District Collector,
The Office of District Collector,
Thiruvannamalai,
Thiruvannamalai District.
 - 4.The Regional Director,
Office of Regional Director of Municipal Administration,
Sarathi Nagar,
Vellore, Vellore District.
 - 5.The Municipal Commissioner,
Thiruvannamalai Municipality Office,
Thiruvannamalai District.
- ... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents 1 to 4 to consider and pass orders on the petitioner's representation dated 17.8.2015 for cancel the illegal Tender dated 08.01.2015 conducted by the 5th respondent.

For Petitioner : Mr.V.R.Appaswamee

For Respondents : Mr.B.Anand
Government Advocate for R1 to R4
Mr.V.Jayaprakash Narayanan
Special Government Pleader for R5

O R D E R

This writ petition has been filed seeking a mandamus, directing the respondents 1 to 4 to consider and pass orders on the representation of the petitioner dated 17.8.2015, for cancellation of the illegal tender dated 08.01.2015 conducted by the fifth respondent.

2. Heard Mr.V.R.Appaswamee, learned counsel appearing for the petitioner, Mr. B.Anand, learned Government Advocate appearing for the respondents 1 to 4 and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the fifth respondent and perused the materials available on record.

3. The grievance of the petitioner is that the fifth respondent - Municipal Commissioner, without following the mandatory provisions in the Tender Transparency Act, floated a tender dated 08.01.2015 and awarded the contract in favour of one Mr.A.Dhanasekaran and Mr.P.Ravi. Challenging the same, the present writ petition.

4. The learned Special Government Pleader appearing for the fifth respondent submitted that the tender was floated for construction of toilets. At the time of filing the writ petition, the construction work of two toilets were completed, now the balance work was also completed. Subsequently, the same were put in usage. Hence the prayer sought for in this writ petition has become infructuous.

5. In the light of the above facts this writ petition is dismissed as infructuous. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True copy//

Sub Assistant Registrar

ms

To

- 1.The Secretary,
The Government of Tamil Nadu,
Municipal Administration & Water Supply Department,
Secretariat,
Chennai - 9.
- 2.The Commissioner,
Office of Commissioner,
Municipal Administrations,
Ezhilagam, Cheppak,
Chennai - 5.
- 3.The District Collector,
The Office of District Collector,
Thiruvannamalai,
Thiruvannamalai District.
- 4.The Regional Director,
Office of Regional Director of Municipal Administration,
Sarathi Nagar,
Vellore, Vellore District.
- 5.The Municipal Commissioner,
Thiruvannamalai Municipality Office,
Thiruvannamalai District.

+1cc to Mr.V.Jayaprakash Narayanan, Advocate SR.No.24283
+1cc to Government Pleader SR.No.24864

W.P.No.28496 of 2015
and
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VBA (CO)
GN(18/04/2018)

सत्यमेव जयते

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