

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.14405 of 2018

K.Sankar

... Petitioner

Versus

1.The District Collector,
Collectorate,
Perambalur.

2.The Executive Officer,
Arumbavur Town Panchayat,
Perambalur.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider and pass order on the petitioner representation dated 28.05.2018 for cancellation of Notification issued by the 2nd respondent in Proceedings Na.No.80/2018, dated 07.05.2018.

For Petitioner : Ms.T.Dharani

For Respondents : Mr.V.Shanmuga Sundar
Special Government Pleader for R1
Mr.V.Prabhu
Government Advocate for R2

O R D E R

Heard Ms.T.Dharani, learned counsel for the petitioner, Mr.V.Shanmuga Sundar, learned Special Government Pleader appearing for the first respondent and Mr.V.Prabhu learned Government Advocate appearing for the second respondent and perused the materials available on record.

2.The petitioner has come forward with this writ petition for issuance of a writ of mandamus, directing the respondents to consider and pass orders on his representation dated 28.05.2018.

3.The case of the petitioner is that the second respondent issued a notification dated 07.05.2018, calling for the tenders for deepening the well in Arumbavur village and to construct a compound wall. Pursuant to the notification, the petitioner has submitted his application on 21.05.2018. Though the second respondent has fixed the date for opening the

tenders on 21.5.2018, there is no response from the second respondent. Hence, the petitioner preferred an application / representation to the first respondent dated 28.05.2018. Despite the same there is no progress, hence the present writ petition.

4.The learned counsel for the petitioner submitted that the petitioner would be satisfied, if a suitable direction is issued to the first respondent to consider the application / representation of the petitioner.

5.The learned Special Government Pleader appearing for the first respondent submitted that the petitioner has not produced any proof for submission of representation / application to the first respondent. Considering the prayer sought for in this writ petition, the petitioner may be directed to give a fresh representation and the same would be considered in accordance with law.

6. The learned Government Advocate appearing for the second respondent submitted that pursuant to the tender notification dated 07.05.2018, tender documents were opened on 21.5.2018 and one P.Selvan, was declared as a successful bidder and work order was issued in his favour. It is further submitted that the bidder has already completed 30% of the work.

7. Considering the grievance of the petitioner, this Court without going into the merits of the case, directs the petitioner to give a fresh representation to the first respondent, by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the first respondent shall consider the same and pass orders on merits and in accordance with law, after affording an opportunity to all necessary parties, within a period of four weeks there from.

8. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

ms

To

1.The District Collector,
Collectorate,
Perambalur.

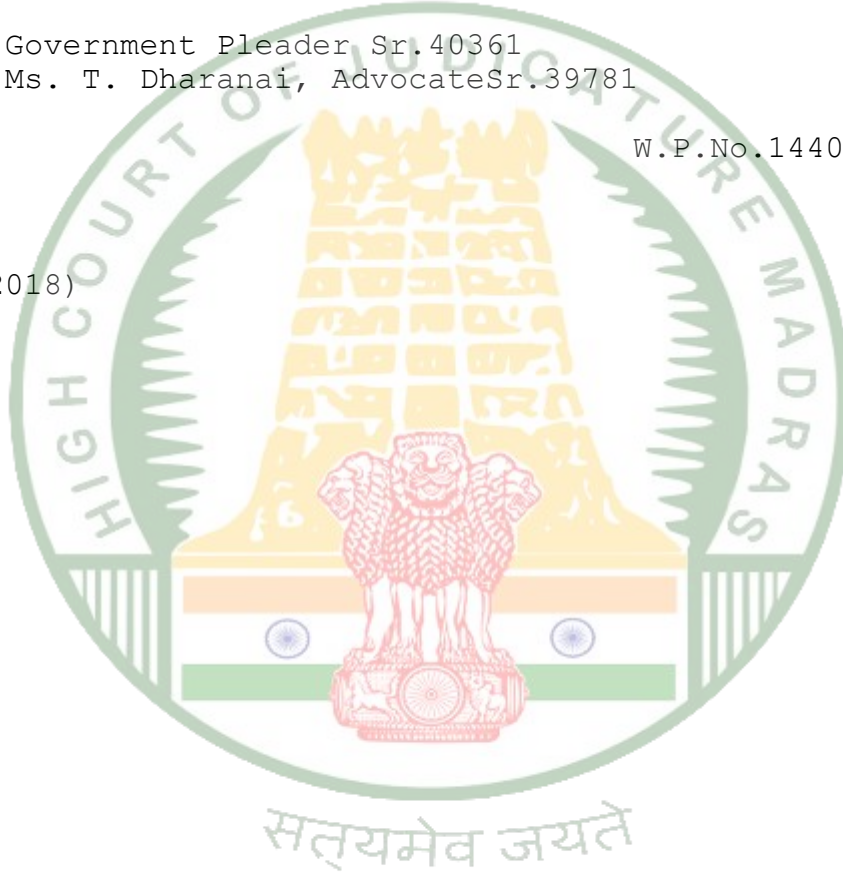
2.The Executive Officer,
Arumbavur Town Panchayat,
Perambalur.

+ 1 cc to Government Pleader Sr.40361

+ 1 cc to Ms. T. Dharanai, AdvocateSr.39781

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(CS-IV)
EU(11/07/2018)



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