

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.1966, 1968, 1969, 2152 and 2154 of 2018
and WMP.Nos. 2478, 2480, 2481, 2677 and 2679 of 2018

M.Ilayaraja ...Petitioner in W.P.No.1966 of 2018

Dharani Hi -Tech Projects Pvt Ltd
Rep. by its authorised signatory
V.Sridharan

...Petitioner in W.P.No.1968 of 2018

S.Dh.H.Natarajan ...Petitioner in W.P.No.1969 of 2018

K.R.Ravi ...Petitioner in W.P.No.2152 of 2018

K.Krishnamoorthy ...Petitioner in W.P.No.2154 of 2018

Vs.

1.The District Collector/Chairman,
District Rural Development Agency,
Nagapattinam.

2.The Project Director,
District Rural Development Agency,
Nagapattinam.

3.The Executive Engineer, (RD)
District Rural Development Agency,
Nagapattinam.

...Respondents in W.P.Nos.1966,
1968, 1969 and 2154 of 2018

1.The District Collector,
Thiruvarur.

2.The Project Director, R.D
(Rural Development & Panchayat Raj, Department)
District Rural Development Agency,
Thiruvarur.

3.The Executive Engineer,
District Rural Development Agency,
Thiruvarur.

...Respondents in W.P.No.2152 of 2018

PRAYER in W.P.Nos.1966, 1968, 1969 & 2154 of 2018 :
Writ petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 3rd respondent to issue certificate as per the clause 7 of the Tender notification dated 09.01.2018 in TNRRIS/3050/TENDER/C4/2017 as called for by the 2nd respondent to the petitioner herein with an appropriate time enabling the petitioner to participate in the tender.

PRAYER in W.P.No.2152 of 2018: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 3rd respondent to issue certificate as per the clause 7 of the Tender notification dated 09.01.2018 in DIPR/100/TENDER/2018 as called for by the 2nd respondent to the petitioner herein with an appropriate time enabling the petitioner to participate in the tender.

For Petitioner : Mr.R.Nalliyappan
(in all the petitions)
For Respondents : Mr.S.T.S. Murthy, AAG
(in all the petitions)
assisted by
Mr.V.Shanmugasundar, Spl.G.P

C O M M O N O R D E R

These writ petitions are filed for issuance of writ of mandamus to direct the 3rd respondent to issue certificate as per clause 7 of the Tender notification dated 09.01.2018.

2. The case of the petitioners is that the respondents have floated tender and the petitioners are entitled to participate in the tender process. The applications of the petitioners for issuance of Tools and Plants certificate were not issued by the Executive Engineer. Hence, the present writ petitions.

3. Heard the learned counsel for the petitioners and the learned Additional Advocate General assisted by the learned Special Government Pleader appearing for the respondents.

4. It is represented by the learned Additional Advocate General that as per the order passed by this Court, the respondents allowed the petitioners to participate in the tender process, without insistence of production of Tools and Plants certificate. However, the petitioners, viz., M/s. Dharani Hi-Tech Projects Private Limited, Natarjan and Krishnamoorthy have participated in the opening of the technical bid and the other

two petitioners, viz., M.Ilayaraja and K.R.Ravi were absent at the time of opening of the technical bid.

5. The learned Additional Advocate General further submitted that the tender applications are under scrutiny by the Technical Scrutiny Committee and if they are found eligible, as per the norms, their price bid will be considered for scrutiny. The learned Additional Advocate General has produced the order of the Project Director, DRDA, Nagapattinam District for perusal of this Court.

6. Recording the submissions of the learned Additional Advocate General appearing for the respondents, these writ petitions are closed. No costs. Consequently, connected Miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

pvs / msrm

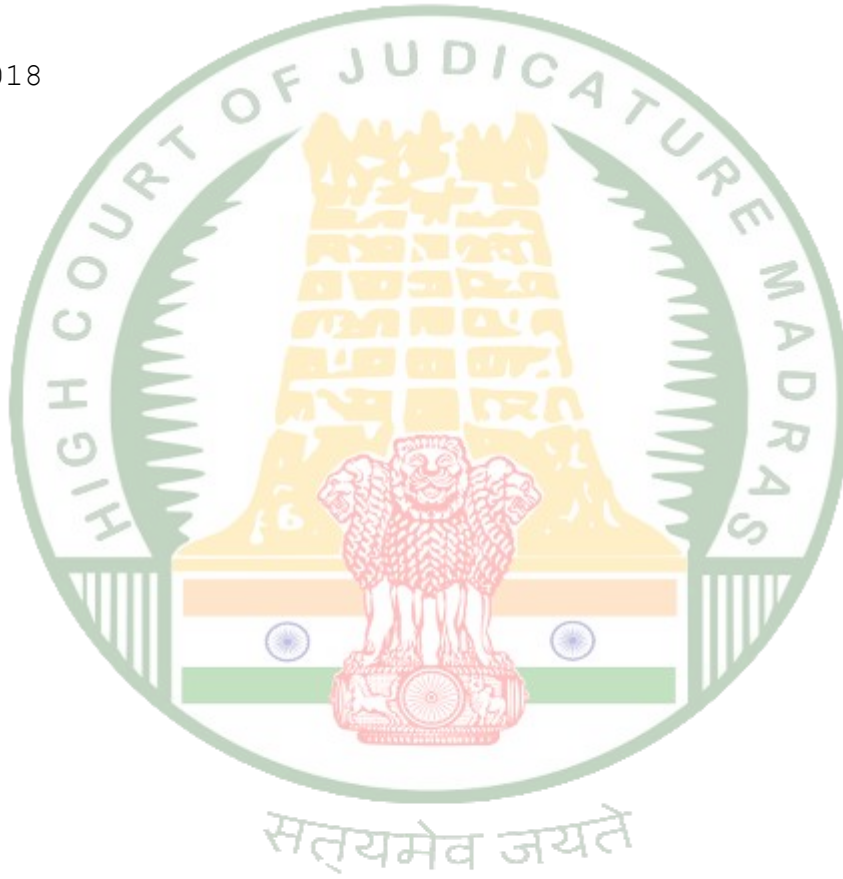
To

- 1.The District Collector/Chairman,
District Rural Development Agency,
Nagapattinam.
- 2.The Project Director,
District Rural Development Agency,
Nagapattinam.
- 3.The Executive Engineer, (RD)
District Rural Development Agency,
Nagapattinam.
- 4.The District Collector,
Thiruvarur.
- 5.The Project Director,R.D
(Rural Development & Panchayat Raj, Department)
District Rural Development Agency,
Thiruvarur.
- 6.The Executive Engineer,
District Rural Development Agency,
Thiruvarur.

+1 cc to the Government Pleader sr 12536
+1 cc to Mr.R.Nalliappan Advocate sr 10531

WP.No.1966, 1968, 1969,
2152 and 2154 of 2018

ssv(co)
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