



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2018

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.2904 of 2018

and

W.M.P. (MD) Nos.3071 to 3074, 4427 and 4937 of 2018

M.Ilayaraja

... Petitioner

Vs.

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Government of Tamil Nadu,
Fort St.George, Chennai 600 009.

2.The Commissioner,
Melur Municipality,
Melur, Madurai District.

3.The Deputy Superintendant of Police,
Vigilance and Anti Corruption,
Azhagar Kovil Road, Madurai.

4.Bavadarani Builders,
Madurai 625 002.
(Address of the 4th respondent is not
known to the petitioner)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the second respondent in Roc.No.907/2017/E1 dated 05.02.2018 quash the same and consequently, direct the second respondent to permit the petitioner to participate in the price bid of the tender in furtherance of tender notice dated 29.12.2017 issued by the second respondent in Na.Ka.No.907/2017/E1 dated 29.12.2017.

For Petitioner :Mr.Veerakathiravan
Senior Counsel
for M/s.Veera Associates

For R1 and R3 : Mr.Chellapandian
Additional Advocate General
Asst. by Mrs.S.Srimathy
Special Government Pleader



For R2

:Mr.M.Murugan

Government Advocate

For R4

:Mr.M.Subash Babu

ORDER

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The writ petitioner is a registered Class-I Contractor. The second respondent municipality called for applications from eligible contractors for laying road within the Melur Municipality. It was made clear that the tender document can also be submitted online. There were totally three participants including the fourth respondent herein. The petitioner's technical bid was rejected by order dated 05.02.2018. The same is questioned in this writ petition.

2.When the matter was taken up for hearing, the learned Additional Advocate General appearing for the respondents pointed out that one of the reasons for rejection of the petitioner's tender was that he did not upload his current bank statement. As per the tender requirement, the participant must enclose the bank statement, showing that he is having atleast 5% of the contract value in the bank deposit. The tender documents were uploaded on 23.01.2018. The bank statement obtaining as on 23.01.2018 should contain the said figure.

3.But in the present case, the writ petitioner had uploaded only the bank statements upto 2017 only. Therefore, on his own showing, the petitioner does not satisfy the requirements. The order impugned in this writ petition is therefore well founded. The writ petition is without any merit. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Government of Tamil Nadu,
Fort St.George, Chennai 600 009.

2.The Commissioner,
Melur Municipality,
Melur, Madurai District.

3.The Deputy Superintendant of Police,
Vigilance and Anti Corruption,
Azhagar Kovil Road, Madurai.



+1CC TO SPECIAL GOVERNMENT PLEADER, SR NOS.55993,55966
+1CC TO M/S.M.SUBASH BABU, ADVOCATE, SR NO.55758
+1CC TO M/S. VEERA ASSOCIATES, ADVOCATE, SR NO.55884

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