



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2018

CORAM :

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

WP (MD) Nos.4125 to 4131 of 2018

and

WMP (MD) Nos.4290 to 4303 of 2018

WP (MD) No.4125 of 2018:

M/s.Dharani Hi-Tech Projects Pvt Ltd.,
rep.by its Authorised representative,
S.Veera Sekar,
No.3/25, Thatchamalli
Vilanoor Post,
Avudaiyar Koil Taluk,
Pudukottai - 614 618.
Vs.

.. Petitioner in All Cases

1.The District Collector/Chairman,
D.R.D.A, Pudukottai,
Pudukottai District.

2.The Project Director,
D.R.D.A, Pudukottai,
Pudukottai District.

3.The Executive Engineer,
D.R.D.A, Pudukottai,
Pudukottai District.

4.The Accounts Officer,
D.R.D.A, Pudukottai,
Pudukottai District.

..Respondents 1 to 4 in All cases

5.M.Murugesan

...R5 in WP (MD) Nos.4126 to 4129 and
4131/2018

6.M.Suralirajan

7.A.G.Sethuraman

The Executive Engineer,
D.R.D.A, Pudukottai,
Pudukottai District.

... Respondents 5 to 7 in
WP (MD) Nos.4125 and 4130/2018

... 6th Respondent in WP (MD) Nos.4126 to 4129 and 4131/2018

- Vs. -



Prayer in WP(MD). 4125/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned NABARD XXIII-2017-2018 (E-tender Website) Evaluation report (package No.08) Gandarvakottai Block in Pudukkottai District issued by the respondents 1 to 4 dated 05.02.2018 and the impugned tender summary report issued by the 2nd respondent in his proceedings dated 07.02.2018 and to quash the same in respect of rejecting the technical bid submitted by me and accepting the technical bid of the respondents NO.5 and 6 and consequently to direct the respondents 1 and 2 to accept the technical bid submitted by the petitioner for the work namely "strengthening the road Gandavarvakottai Block in Package No.8 of Pudukkottai District under NABARD RIDF - XXIII (2017-2018) Tranche.

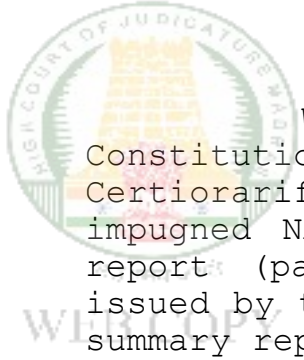
Prayer in WP(MD). 4126/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned NABARD XXII9I-2017-2018 (E-tender Website) Evaluation report (package No.13)ponnamaravathi Block in Pudukkottai District issued by the respondents 1 to 4 dated 05.02.2018 and the impugned tender summary report issued by the 2nd respondent in his proceedings dated 07.02.2018 and to quash the same in respect of rejecting the technical bid submitted by me and accepting the technical bid of the respondents NO.5 and consequently to direct the respondents 1 and 2 to accept the technical bid submitted by the petitioner for the work namely "strengthening the road Ponnamaravathi Block in Package No.13 of Pudukkottai District under NABARD RIDF - XXII9I (2017-2018) Tranche.

Prayer in WP(MD). 4127/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned NABARD XXII9I-2017-18 (E-tender Website) Evaluation report (package No.09) Thirumayam Block in Pudukkottai District issued by the respondents 1 to 4 dated 05/02/2018 and the impugned tender summary report issued by the 2nd respondent in his proceedings dated 07/02/2018 and to quash the same in respect of rejecting the technical bid submitted by Petitioners and accepting the technical bid of the respondents No.5 and 6 and consequently to direct the respondents 1 and 2 to accept the technical bid submitted by the petitioner for the work namely "strengthening the road Thirumayam Block in Package No.09 of Pudukkottai District under NABARD RIDF - XXII9I (2017-2018) Tranche.

Prayer in WP(MD). 4128/ 2018 :



Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Certiorarified Mandamus calling for the records relating to the impugned NABARD XXIII - 2017 - 18 (E-ternder Webside) Evaluation report (package No.02) Annavasal Block in Pudukkottai District issued by the respondents 1 to 4 dated 5.2.2018 and impugned tender summary report issued by the 2nd respondent in his proceedings dated 07.02.2018 and to quash the same in respect of rejecting the technical bid submitted by me and accepting the technical bid of the respondents No.5 and 6 and consequently to direct the respondents 1 and 2 to direct the respondents 1 and 2 to accept the technical bid submitted by the petitioner for the work namely "strengthening the road Annavasal Block in Package No.02 of Pudukkottai District under NABARD RIDF - XXIII (2017-2018) Tranche.

...

Prayer in WP(MD). 4129/ 2018 :

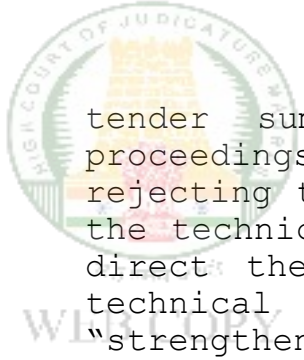
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Certiorarified Mandamus calling for the records relating to the impugned NABARD XXII9I - 2017 - 18 (E-Tender Website) Evaluation report (package No.1) Annavasal Block in Pudukkottai District issued by the respondents 1 to 4 dated 5.2.18 and impugned tender summary report issued by the 2nd respondent in his proceedings dated 07.02.2018 and to quash the same in respect of rejecting the technical bid submitted by the petitioner for the work namely "strengthening the road Annavasal Block in Package No.01 of Pudukkottai District under NABARD RIDF - XXIII (2017-2018) Tranche.

Prayer in WP(MD). 4130/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned NABARD XXII9I-2017-18 (E-tender Website) Evaluation report (package No.11) Karambakudi Block in Pudukkottai District issued by the respondents 1 to 4 dated 05/02/2018 and the impugned tender summary report issued by the 2nd respondent in his proceedings dated 07/02/2018 and to quash the same in respect of rejecting the technical bid submitted by Petitioners and accepting the technical bid of the respondents No.5 and 6 and consequently to direct the respondents 1 and 2 to accept the technical bid submitted by the petitioner for the work namely "strengthening the road Karambakudi Block in Package No.11 of Pudukkottai District under NABARD RIDF - XXII9I (2017-2018) Tranche.

Prayer in WP(MD). 4131/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Certiorarified Mandamus calling for the records relating to the impugned NABARD XXII9I - 2017 - 18 (E-tender Website) Evaluation Report (package No.04) Kannandarkoil Block in Pudukkottai District issued by the respondents 1 to 4 dated 5.2.2018 and the impugned



tender summary report issued by the 2nd respondent in his proceedings dated 07.02.2018 and to quash the same in respect of rejecting the technical bid submitted by Petitioners and accepting the technical bid of the respondents No.5 and 6 and consequently to direct the respondents 1 and 2 and consequently to accept the technical bid submitted by the petitioner for the work namely "strengthening the road Kaannandarkoil Block in Package No.04 of Pudukkottai District under NABARD RIDF - XXII91 (2017-2018) Tranche.

For Petitioner : Mr.Ananthapadmanabhan
for Mr.R.Venkateshwar

For R1 to R4 : Mr.Chellapandian
in All Cases Additional Advocate General
assisted by Mr.Aayiram K.Selvakumar
Additional Government Pleader

For R5 in : Mr.M.Ajmalkhan, Senior Counsel
WP(MD)Nos.4125 and
4130/2018)

COMMON ORDER

These writ petitions have been filed challenging the order passed by the first respondent/tendering authority, rejecting the petitioner's technical bit.

2.Admittedly, against the order passed by the tendering authority, an appeal is provided under Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998. Without availing the above said alternative remedy, the petitioner cannot maintain the present writ petitions. Hence, these writ petitions are dismissed. However, it is always open to the petitioner to work out his remedy in the manner known to law. No costs. Consequently, WMP(MD)Nos.4290 to 4303 of 2018 are closed.

Sd/-
Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

- 1.The District Collector/Chairman,
D.R.D.A, Pudukottai, Pudukottai District.
 - 2.The Project Director, D.R.D.A, Pudukottai,
Pudukottai District.
 - 3.The Executive Engineer, D.R.D.A, Pudukottai,
Pudukottai District.
 - 4.The Accounts Officer, D.R.D.A, Pudukottai,
Pudukottai District.
- +7ccs to Mr.R.Venkateswar, Advocate, SR.Nos.51868 to 51874
+One cc to The Special Government Pleader, SR.No.52109
+One cc to M/s.Ajmal Associates, Advocate, SR.No.52234

mj

RL/14C/2P/KK/SAR1/2/3/2018

W.P(MD) Nos.4125 to 4131 of 2018
28.02.2018