



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) Nos.96 to 99 of 2018

and

W.M.P(MD)Nos.104 to 111 of 2018

P.V.Mathivanan ... Petitioner
in W.P(MD)Nos.96 and 99 of 2018

M/s.Veera Construction and
Enterprises Rep by its Managing Partner,
M.Sathiyaseelan,
No.155 A, Neerpalani,Viralimalai Taluk,
Pudukottai District. ... Petitioner
in W.P(MD)Nos.97 and 98 of 2018

Vs.

The Superintending Engineer (H),
Highways Department,
Trichy (Construction and Maintenance) Circle,
TVS Tollgate, Pudukottai Road,
Trichy - 20. ... 1st Respondent in W.P(MD)Nos.98 and 99/2018

The Superintending Engineer (H),
NABARD and Rural Road Circle,
No.5, Professor Colony,
Subramaniyapuram,
Trichirappalli 620 020
... 1st Respondent in W.P(MD)Nos.96 and 97/2018

The Divisional Engineer (Highways),
Quality Control Division,
Trichy 20. ... 2nd Respondent in all W.Ps.

The Divisional Engineer (Highways),
Construction and Maintenance Circle,
Pudukottai. ... 3rd Respondent in W.P(MD)Nos.98 and 99/2018

The Divisional Engineer (Highways),
NABARD & Rural Roads,
No.3038, Canara Bank II Floor,
Keelekarpettai, Pudukkottai.
... 3rd Respondent in W.P(MD)Nos.96 and 97/2018



Prayer in WP(MD) . 96/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to accept the tender form submit by the petitioner for the tender notification in Sl.No.1(T.N.NO.4/ 2017-2018/SDO DT.28/09/2017) for construction of high level bridge at KM.0/4 of Madhayanipatti-Kathalur Road across Karaiyar river, Trichy District, in Sl.No.1(T.N..NO.5/2017-2018/SDO DT.04/10/2017) for construction of high level bridge at K.M.1/2 of Sengamadaai-Manamadurai-Vettikadu Road and Sl.No.1(T.N.NO.6/2017-2018/SDO DT.04/10/2017) for Reconstruction of weak and Narrow bridge at KM.16/4 of Vadavalam-puthupatti road, without insisting the certificate from the 2nd Respondent the light of the notification issued by the Central Vigilance Commission CVC No.98/ord/1 dated 18.12.2003.

Prayer in WP(MD) . 97/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 1st respondents to accept the tender form submit by the petitioner tender notification in Sl.No.1 (T.N.No.4/2017-2018/SDO dated 28.09.2017) for construction of high level bridge at Km.0/4 of Madhayanipatti - Kathalur Road across Koraiyar river, Trichy Dist, in Sl.No.1 (T.N.No.5/ 2017-2018/SDO dated 04.10.2017) for construction of high level bridge at Km.1/2 of Sengamadaai - Manamadai-Vettikadu Road and Sl.No.1 (T.N.No.6/ 2017-2018/SDO dated 04.10.2017) for Reconstruction of weak and Narrow Bridge at Km.16/4 of Vadavalam-Puthupatti Road, without insisting the certificate from the 2nd respondent in the light of the notification issued by the Central Vigilance Commission in CVC No.98/ord/1 dated 18.12.2003.

Prayer in WP(MD) . 98/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the 1st respondents to accept the tender form



submitted by the petitioner in tender notification T.N.No.9/2017-2018/HDO dated 24.11.2017, Pudukkottai (H) C & M Division CRIDP : 2017-2018 Package - 77 to 84 and T.N.No.10/2017-2018/HDO dated 28.11.2017 Pudukkottai (H) C & M Division CRIDP : 2017-2018 Package - 85 to 89 and Non Plan works 2017-18 in package No.90 to 92 without insisting the certificate from the 2nd respondent in the light of the notification issued by the Central Vigilance Commission in CVC No.98/ord/1 dated 18.12.2003.

Prayer in WP(MD) . 99/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to accept the tender form submit by the petitioner in tender notification T.N.NO.9/2017-2018/HDO DT.24/11/2017, Pudukkottai(H) C&M Division CRIDP:2017-2018 Package-77 to 84 and T.N.NO.10/ 2017-2018/HDO DT.28/11/2017, Pudukkottai (H) C&M dIVISION CRIDP: 2017-2018 Package-85 to 89 and Non plan works 2017-2018, in Package No.90 to 95 without insisting the certificate from the 2nd respondent in the light of the notification issued by the Central Vigilence Commission in CVC No.98/ord/1 dt.18/12/2013.

For Petitioners : Mr.P.Ganapathi Subramanian
(In all Wps)

For Respondents : Mr.M.Govindan,
(In all W.Ps) Special Government Pleader.

COMMON ORDER

Heard Mr.P.Ganapathi Subramanian, learned counsel appearing for the petitioners and Mr.M.Govindan, learned Special Government Pleader appearing for the respondents.

2.According to the petitioners, they have filed an application dated 20.12.2017 seeking quality control certificate. However, the second respondent has not issued quality control certificate so far. Hence, the petitioners have filed the present writ petitions.



3.Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the second respondent to consider the application of the petitioners dated 20.12.2017 and pass appropriate orders, on merits and in accordance with law, on or before 10.01.2018.

4.With the above direction, the writ petitions are disposed of. No costs. Consequently, W.M.P(MD)Nos.104 to 111 of 2018 are closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Superintending Engineer (H),
Highways Department,
Trichy (Construction and Maintenance) Circle,
TVS Tollgate, Pudukottai Road, Trichy - 20.

2.The Superintending Engineer (H),
NABARD and Rural Road Circle,
No.5, Professor Colony,
Subramaniyapuram, Trichirappalli 620 020

3.The Divisional Engineer (Highways),
Quality Control Division, Trichy 20.

4.The Divisional Engineer (Highways),
Construction and Maintenance Circle,
Pudukottai.

5.The Divisional Engineer (Highways),
NABARD & Rural Roads,
No.3038, Canara Bank II Floor,
Keelarajaveethi, Pudukkottai.

+4cc to M/S.P.GANAPATHI SUBRAMANIAN, Advocate SR.No.40705, 40706,
40707 and 40708.

+1cc to Special Government Pleader in SR.No.40384.

Writ Peion (MD) Nos.96 to 99 of 2018
04.01.2018