



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.9492 of 2018

and

W.M.P.(MD) No.8744 of 2018

Malligai Sangamam Aangal
Thuppuravu Paniyalargal Self Help Group
through its Secretary
G.Senthil Kumar
S/o.Gurusamy
Gandhiji Road
Thamaraikulam
Periyakulam, Theni District

... Petitioner

vs.

1.The District Collector
Theni District

2.The Commissioner of
Municipal Administration
6th Floor, Ezhilagam
Annex Building
Chepauk, Chennai-600 005

3.The Regional Director of Municipality
Melakal Road
Kochadai, Madurai-625 016

4.The Commissioner
Periyakulam Municipality
Periyakulam
Theni District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to issue fresh tender notification for the scavengers works in Ward No.6 to No.30, Periyakulam Town, Theni District and also to provide opportunity to the petitioner to participate in the tender.

For Petitioner : Mr.S.Pandiaraj

For Respondents: Mr.J.Gunaseelan Muthiah

Additional Government Pleader

O R D E R

<https://hcservices.ecourts.gov.in/hcservices/>
Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents.



2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. When the tender notification, dated 12.10.2017 came to be challenged before this Court in W.P.(MD) No.19572 of 2017, by an order dated 16.03.2018, the writ petition came to be dismissed on the ground that the Municipality has a right to insist the tenderers to enroll themselves under E.S.I., E.P.F., Insurance and Taxes Schemes and as such, the prayer sought for therein cannot be entertained in the present writ petition. While that being so, the present writ petition seeking for issuance of a fresh tender notification cannot be maintained in view of the order in the earlier writ petition.

4. In the result, the writ petition fails and it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To:

1.The District Collector,
Theni District.

2.The Commissioner of
Municipal Administration,
6th Floor, Ezhilagam,
Annex Building,
Chepauk, Chennai-600 005.

3.The Regional Director of Municipality,
Melakal Road,
Kochadai, Madurai-625 016.

4.The Commissioner,
Periyakulam Municipality,
Periyakulam,
Theni District.

+1cc to Mr.S.PANDIARAJ Advocate, SR.No. 64333

+1cc to M/s.Special Government Pleader, SR.No.64518

W.P.(MD) No.9492 of 2018
and

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