

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 03.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU****and****THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI****W.A. (MD) No.856 of 2018****and****C.M.P. (MD) No.5612 of 2018**

R.Muthukumar

... Appellant / Petitioner

-vs-

1. The Principal Secretary to the
Government of India
Department of Finance
New Delhi
 2. The Chairman
National Bank for Agricultural
and Rural Development (NABARD)
New Delhi
 3. The Principal Secretary to Government
of Tamil Nadu
Public Works Department, Chennai
 4. The Engineer in Chief
Public Works Department
Chepauk, Chennai
 5. The Regional Chief Engineer
Public Works Department (Buildings)
Trichy Region, Cantonment, Trichy.
 6. The Superintending Engineer
Public Works Department (Buildings)
Construction & Maintenance Circle
Cantonment, Trichy
- ... Respondents / Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 08.06.2018, made in W.M.P.(MD) No.8142 of 2018 in W.P.(MD) No.8679 of 2018, on the file of this Court.

Prayer in WMP(MD)No. 8142 of 2018 :

To stay all further proceedings in pursuance of the impugned notification issued by the 6th respondent in Tender Notification No.46/2017-2018/SE/B (C & M) dated 20.03.2018 pending disposal of this writ petition.



Prayer in WP(MD)No. 8679 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus call for the records of the 6th respondent in Tender Notification No.46/2017-2018/SE/B (C & M) dated 20.03.2018 and quash the same as illegal and further direct the 6th respondent to conduct the tender for each works separately as notified earlier in order to enable the participation of all eligible contractors.

For Appellant : Mr.P.Ganapathi Subramanian

For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader

J U D G M E N T

[Judgment of the Court by K.RAVICHANDRABAABU, J.]

This writ appeal is filed against the interim order made in W.M.P.(MD) No.8142 of 2018 in W.P.(MD) No.8679 of 2018, dated 08.06.2018, vacating the interim stay already granted by the Writ Court.

2. The learned Single Judge passed an elaborate order, while vacating the interim stay already granted. We are not inclined to go into the merits of the matter and the contentions raised by the parties as well as the reasoning of the learned Single Judge for vacating the interim stay, since it is stated that the very main writ petition itself is to be listed for final hearing on 12.07.2018. Therefore, it is open to both parties to raise all their contentions before the Writ Court when the main writ petition is taken up for final disposal. Accordingly, without expressing any view on the merits of the matter, this writ appeal is dismissed by giving liberty to both parties to raise all their contentions before the Writ Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To:

1. The Principal Secretary to the
Government of India,
Department of Finance, New Delhi.



2. The Chairman,
National Bank for Agricultural
and Rural Development (NABARD),
New Delhi.

WEB COPY

3. The Principal Secretary to Government
of Tamil Nadu,
Public Works Department, Chennai.

4. The Engineer in Chief,
Public Works Department,
Chepauk, Chennai.

5. The Regional Chief Engineer,
Public Works Department (Buildings),
Trichy Region, Cantonment, Trichy.

6. The Superintending Engineer,
Public Works Department (Buildings),
Construction & Maintenance Circle,
Cantonment, Trichy.

+1cc to Spl.Government Pleader Sr.No.71064

KRK

VB/RSK/SAR1/13.07.2018/3P/8C

W.A. (MD) No.856 of 2018
and
C.M.P. (MD) No.5612 of 2018
03.07.2018