



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.18133 of 2018

and

W.M.P.(MD)No.16040 of 2018

K.Venkatesan

... Petitioner

vs.

1. The Superintending Engineer,
Public Works Department(WRO),
Madurai.

2. The Executive Engineer,
Public Works Department(WRO),
Periyar Main Canal Division,
Melur, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the second respondent herein to issue the tender schedule pertaining to the Special Repair of Field Channel works, Melur for the year 2018-19 by considering the petitioner's representation dated 13.08.2018.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.A.Muthukaruppan

Additional Government Pleader

O R D E R

The present Writ Petition has been filed seeking issuance of Writ of Mandamus directing the second respondent to issue the tender schedule pertaining to the Special Repair of Field Channel works, Melur for the year 2018-2019.

2. According to the petitioner, he has serious apprehension that the tender work would be issued to certain third parties without following the Tender Transparency Act. On the basis of such apprehension, the present Writ Petition has been filed.



3. From the entirety of the averments contained in the affidavit filed in support of the writ petition, this Court is unable to make out any specific cause of action for the petitioner to approach this Court at this point of time. Any apprehension of the petitioner, which according to this Court, cannot be a basis for filing the writ petition.

4. Moreover, the mandamus as sought in this writ petition is too generic in nature and such prayer cannot be granted by this Court on the basis of the apprehension on the part of the petitioner. The writ petition appears to be too premature to be maintained by this Court. Therefore, the Writ Petition is dismissed as not maintainable. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Superintending Engineer,
Public Works Department (WRO),
Madurai.

2. The Executive Engineer,
Public Works Department (WRO),
Periyar Main Canal Division,
Melur, Madurai District.

+ 1 CC TO Mr.B.JAMEEL ARASU, ADVOCATE IN SR No. 79309

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 79355

SSL

TE/RP/SAR-4 : 27/08/2018 : 2P/5C

W.P. (MD) No.18133 of 2018
20.08.2018