



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.22315 of 2017andW.M.P.(MD)Nos.18602 to 18604 of 2017

R.Ganesan

... Petitioner

Vs.

1.The District Collector / Chairman,  
District Rural Development Agency,  
Pudukottai District.

2.The Project Director,  
District Rural Development Agency,  
Pudukottai District.

3.The Executive Engineer (RD),  
District Rural Development Agency,  
Pudukottai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned e-tender documetns issued by the first and second respondents with regard to Clause 47 of the Information and Instruction for the Bidders under Two Cover System of invitation of Technical Bid and quash the same and consequently directing the first and second respondents to accept the tender documents submitted by the petitioner for the works covered in PMGSY II-2017-2018 PACK-TN 13-107 in Arimalam Block and TN 13-116 Tirumayam Block and scrutinize the same without insisting the production of plant and equipment certificate issued by the third respondent and finalize the tender process in accordance with law.

For Petitioner

: Mr.P.Arun Jayatram

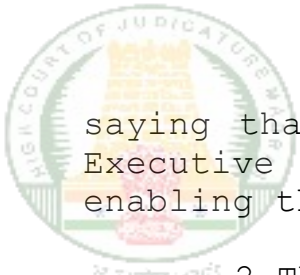
For Respondents

: Mr.B.Pugalendhi,

Additional Advocate General,  
assisted by Mr.M.Rajarajan,  
Government Advocate.

ORDER

<https://hcservices.ecourts.gov.in/hcservices> Even though the larger relief is sought for in this Writ Petition challenging Clause 47 of the tender conditions, the learned counsel appearing for the petitioner restricted his prayer



saying that he will be satisfied, if the third respondent / the Executive Engineer is directed to issue a equipment certificate enabling the petitioner to file his tender application.

2.The learned Additional Advocate General appearing for the respondents submitted that the petitioner has only submitted the application without mentioning any particulars of the machineries. Hence, the respondents are not in a position to issue the said certificate.

3.In the above circumstances, the petitioner is directed to file an application with all particulars of machineries in his possession within a period of three days from the date of receipt of a copy of this order. On filing of such application, the third respondent is directed to consider the same, conduct an inspection and issue equipment certificate, if the petitioner satisfies all the required particulars as per the tender conditions within a period of three days thereafter.

4.With the above direction, this Writ Petition is closed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector / Chairman,  
District Rural Development Agency,  
Pudukottai District.
- 2.The Project Director,  
District Rural Development Agency,  
Pudukottai District.
- 3.The Executive Engineer (RD),  
District Rural Development Agency,  
Pudukottai District.

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JM/SKN RSK/SAR 2/09.01.2018/2P/4C