

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.13084 of 2011

ORDER:

None appears for the petitioner.

The relief sought for in this Writ Petition is to declare the action of the Commissioner, Madanapally Municipality, in not allotting the tender works to the petitioner though he was the lowest bidder among the other bidders and rejecting the same vide endorsement dated 26.03.2011, as arbitrary and illegal and contrary to G.O.Ms. No.142 dated 20.12.2004 and G.O.Ms. No.94 dated 01.07.2003.

By the endorsement dated 26.03.2011, the Commissioner informed the petitioner that tenders were invited from owners who were having a Hot mix Plant within a radius of 50 km of the Town; the same condition was imposed according to the technical sanction office orders; the petitioner had not mentioned his certificate of ownership or lease agreement certificate pertaining to the Hot Mix plant; his tender was, therefore, rejected, and the tender was allotted according to the technical sanctioned officer's opinion; and the subject works was to provide BT roads in different areas.

The Writ Petition was admitted on 29.04.2011, and notice was ordered in the WPMP. As no interim order has been passed for the past more than 6½ years, the award of work of laying BT roads must have been completed long ago, and BT roads must have been laid by now, the cause in the Writ Petition does not survive necessitating any further adjudication by this Court.

The Writ Petition is dismissed as infructuous. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 25.01.2018

MRKR

