

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.4435 of 2019

and

WMP.No.4996 of 2019

M/s.D.S.R.Sons India Engineers
Pvt.Ltd.
Rep. by its Managing Director
D.S.Raveekumar

..Petitioner

Vs

1.The Superintending Engineer
Bus Route Roads Department
Rippon Building, Amma Maaligai
Greater Chennai Corporation, Chennai-600 003

2.The Executive Engineer,
Bus Route Roads
Rippon Building, Amma Maaligai
Greater Chennai Corporation
Chennai-600 003

3.The Principal Chief Engineer
Rippon Building
Greater Chennai Corporation
Chennai-600 003

..Respondents

Prayer:- This Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents to permit the petitioner to participate in the tender viz., Short e-tender notice in B.R.R.C.No.B1/0295/2019 on the file of the 1st respondent in respect of Packages 3, 4, 8 and 9 without insisting upon the machinery certificate from the 2nd respondent.

For Petitioner : Mr.Doraisamy for
Mr.Prabaharan K.A.

For Respondent : Mrs.Karthikaa Ashok
for R1 to R3.

ORDER

The Prayer in the Writ Petition is to issue a writ of Mandamus, to direct the respondents to permit the petitioner to participate in the tender viz., Short e-tender notice in B.R.R.C.No.B1/0295/2019 on the file of the 1st respondent in respect of Packages 3, 4, 8 and 9 without insisting upon the machinery certificate from the 2nd respondent.

2. It is submitted by the learned counsel for the Petitioner that the Petitioner had already submitted tender application through online to the Respondent/Corporation except Machineries Certificate.

3. Today, Mr.Victor Gnana Raj, Executive Engineer, BRR Incharge, Greater Chennai Corporation, has appeared before this court and submitted that Machineries Certificate was ready on 07.02.2019 and the same was not sent through tapal and hence, the petitioner was not in possession of the same. He further produced a copy of the said certificate before this court and also handed over a copy to the counsel for the petitioner.

4. In view of the submission of the respondent-official that today is the last date for submitting the application, the respondent corporation shall process the online application without insisting upon the production of the Machineries Certificate and if the application is otherwise in order, the same shall be considered in accordance with law.

5. The Executive Engineer appearing for the Corporation has assured before this court that in future, the respondent will inform to the concerned applicant through SMS or through E-Mail, by informing that Machineries Certificate is ready and to collect the same in person, otherwise, the respondent Corporation shall send the same through RPAD.

6. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected WMP is closed.

nvsri

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Superintending Engineer
Bus Route Roads Department
Rippon Building, Amma Maaligai
Greater Chennai Corporation, Chennai-600 003

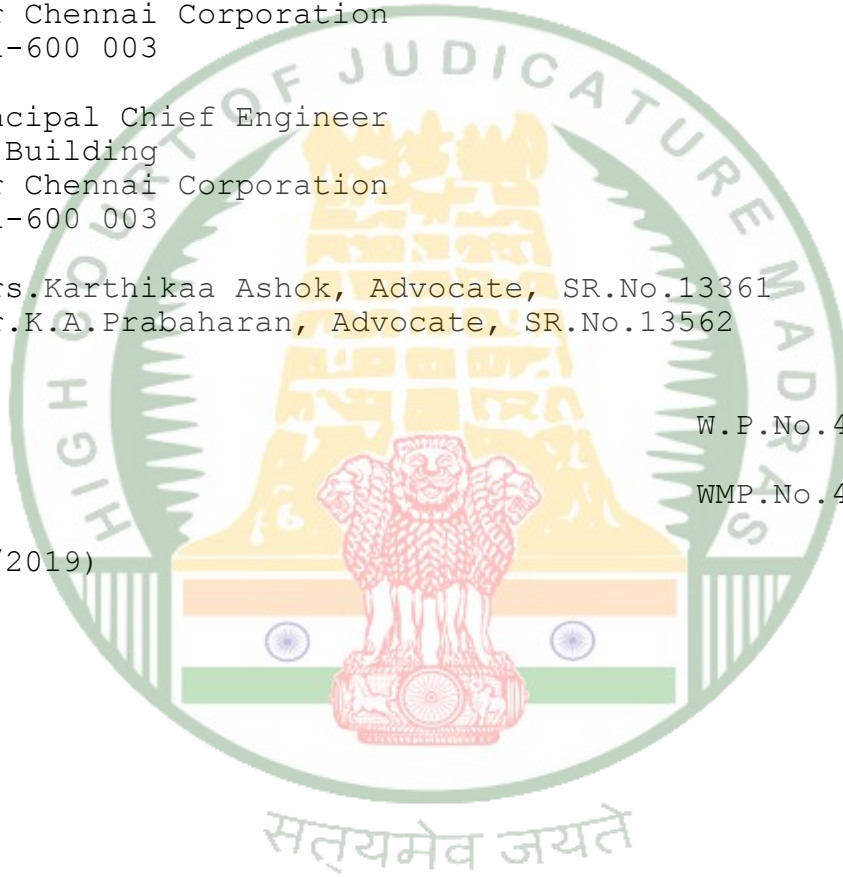
2.The Executive Engineer,
Bus Route Roads
Rippon Building, Amma Maaligai
Greater Chennai Corporation
Chennai-600 003

3.The Principal Chief Engineer
Rippon Building
Greater Chennai Corporation
Chennai-600 003

+1cc to Mrs.Karthikaa Ashok, Advocate, SR.No.13361
+1cc to Mr.K.A.Prabaharan, Advocate, SR.No.13562

W.P.No.4435 of 2019
and
WMP.No.4496 of 2019

Kak(08/05/2019)



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