

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.04.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.32233 of 2016
and
W.M.P.No.27954 of 2016

M/s.K.S.Mani Electricals,
Rep by its Sole Proprietor K.Subramaniyan,
Electrical Engineer and Contractor,
50, Third Cross Street,
Velmurugan Nagar, Kuyavarpalayam,
Pondicherry - 605 013. ... Petitioner

Vs.

1.The Chief Engineer,
Public Works Department,
Puducherry.

2.The Superintending Engineer-I/II,
Public Works Department,
Puducherry.

3.The Executive Engineer,
Special Buildings Division I,
Public Works Department,
Puducherry.

4.M/s.Power Tech Engineers,
Rep by its Managing Partner,
No.9, 4th Cross Street,
Natesan Nagar,
Puducherry - 605 005.

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents 1 to 3 herein to award contract to the 4th respondent herein based on e-tender notice dated 18.08.2016 in Tender No.03/SBD1/2016-17 in respect of work for development of Union Territory of Puducherry as Tourist circuit under Swadesh Darshan Scheme (Cosatal circuit)-Development of Heritage in Puducherry including restoration, conservation and illumination of Heritage Structure-(9) Lighting/ Illumination of heritage area and monuments with sub-work supply, erection and

testing of ornamental poles with LED fittings around the Bharathi Park, Romain Rolland Street and Dumas street in Puducherry.

For Petitioner : Mr.N.Thiagarajan

For RR1 to 3 : Mr.D.Ravichander
Additional Government Pleader
(Pondy)

For R4 : Mr.P.S.Ganesh

O R D E R

The writ petition has been filed for issuance of mandamus forbearing the respondents 1 to 3 from awarding the contract in favour of the fourth respondent based on the e-tender notice dated 18.08.2016 in Tender No.03/SBD1/2016-17 in respect of the work for development of Union Territory of Puducherry as Tourist circuit under Swadesh Darshan Scheme (Coastal circuit)- Development of Heritage in Puducherry including restoration, conservation and illumination of Heritage Structure-(9) Lighting/Illumination of heritage area and monuments with sub-work supply, erection and testing of ornamental poles with LED fittings around the Bharathi Park, Romain Rolland Street and Dumas street in Puducherry.

2. Heard the learned counsel appearing on both sides.

3. The learned Additional Government Pleader appearing for the Puducherry Government represented that already an award was passed in favour of the fourth respondent and also the work was completed by them. In view of the said development, the petitioner has sought for the return of the Earnest Money Deposit amount of Rs.4,81,881/- (Rupees Four lakhs Eighty One thousand Eight hundred and Eighty One only) deposited at the time of offering the tender.

4. Upon instructions, the learned Additional Government Pleader submitted that they would refund the said amount within a period of four weeks from the date of receipt of a copy of this order.

5. Recording the submission, the writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.
rsi

Sd/-

Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Chief Engineer,
Public Works Department,
Puducherry.

2.The Superintending Engineer-I/II,
Public Works Department,
Puducherry.

3.The Executive Engineer,
Special Buildings Division I,
Public Works Department,
Puducherry.

+lcc to Mr.N.Thiagarajan, Advocate, SR.No.39193

+lcc to the Govt.Pleader, vide SR.No.39534

W.P.No.32233 of 2016
and
W.M.P.No.27954 of 2016

Kak(16/07/2019)



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