

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2019

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. No. 17589 of 2019

and

W.M.P. Nos. 17064 and 17066 of 2019

N.Gangai Amaran

... Petitioner

Vs.

1. The Assistant Commissioner/Dharmakarthar
O/o. The Hindu Religious and Charitable
Endowments Department,
Sub-Jail Road, Cuddalore.

2. The Executive Officer
Arulmigu Subramaniya Swamy Temple
Karamanikuppam Village
Gunamangalam Post
Cuddalore District
Cuddalore 607 109.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Re-Tender notification dated 15.06.2019 in Fasali 1429 (01.07.2019-30.06.2020) for collecting the market Toll Fee at Arulmigu Subramaniya Swamy Temple, Karamanikuppam Village, Gunamangalam Post, Cuddalore District, Cuddalore 607 109 issued by the Respondents and quash the same and direct the First Respondent to declare the Petitioner as a successful bidder for the tender in Fasali 1429 (01.07.2019 - 30.06.2019) for collecting the market Toll Fee at Arulmigu Subramaniya Swamy Temple, Karamanikuppam Village, Gunamangalam Post, Cuddalore District, Cuddalore 607 109 as per his tender application dated 14.06.2019.

For Petitioner : Mr.S.Kumara Devan

For Respondents : Mr.M.Maharaja
Special Government Pleader

O R D E R

Heard Mr. S. Kumara Devan, Learned Counsel appearing for the Petitioner, Mr. M. Maharaja, Learned Special Government Pleader,

who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who was awarded the contract for the previous year in pursuance of the tender held on 30.05.2018 in which his bid amount of Rs.6,27,100/- had been accepted, has challenged the rejection of his bid in the tender conducted on 29.05.2019 for the present year, which according to him is the highest amount offered, in this Writ Petition.

3. Learned Special Government Pleader appearing for the Respondents, on instructions, submits that the condition in clause 12 of the tender specifically requires that the minimum amount of the bid should be atleast 10% more than the amount accepted for the previous year and inasmuch as the amount of the previous year was Rs.6,27,100/-, the minimum amount of 10% of the amount awarded of the previous year would work out Rs.6,89,810/-, but the Petitioner had quoted for a lesser sum of Rs.6,77,100/-, which could not be accepted.

4. Recording the aforesaid submissions on behalf of the Respondents, which deserve acceptance, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petitions are also closed. No Costs.

Sd/-

Assistant Registrar (Insp.Cell)

//True Copy//

dna/kv

Sub Assistant Registrar

To

1. The Assistant Commissioner/Dharmakartha
O/o. The Hindu Religious and Charitable
Endowments Department,
Sub-Jail Road, Cuddalore.

2. The Executive Officer
Arulmigu Subramaniya Swamy Temple
Karamanikuppam Village
Gunamangalam Post
Cuddalore District
Cuddalore 607 109.

+1 cc to M/s.S.Kumaradevan, Advocate, S.R.No.52115

+1 cc to the Government Pleader, S.R.No.52967

W.P.No. 17589 of 2019

CP(CO)

SSM(17/10/2019)