

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated : 07.08.2019
CORAM:
THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN
Writ Petition Nos.23126,23130, 23132 of 2019

S.Annamalai

.. Petitioner in
W.P.No.23126 of 2019

R.Agilan

.. Petitioner in
W.P.No.23130 of 2019

B.Rama

.. Petitioner in
W.P.No.23132 of 2019

/versus/

1.The Secretary to Government,
Rural Development & Local Body Department,
Secretariat, Chennai-9.

2.The Director,
Rural Development & Local body Department,
Mount Road, Nandanam, Chennai.

3.The District Collector,
Office of Collectorate,
Villupuram.

4.The Project Director,
District Rural Development Department,
Villupuram.

5.The Block Development Officer,
Vikaravadi Union,
Villupuram District.

.. Respondents in
W.P.No.23126 of 2019

1.The Secretary to Government,
Rural Development & Local Body Department,
Secretariat, Chennai-9.

2.The Director,
Rural Development & Local body Department,
Mount Road, Nandanam, Chennai.

3.The District Collector,
Office of Collectorate,
Villupuram.

4.The Project Director,
District Rural Development Department,
Villupuram.

5.The Block Development Officer,
Kannai Union,
Villupuram District.

.. Respondents in
W.P.No.23130 of 2019

1.The Secretary to Government,
Rural Development & Local Body Department,
Secretariat, Chennai-9.

2.The Director,
Rural Development & Local body Department,
Mount Road, Nandanam, Chennai.

3.The District Collector,
Office of Collectorate,
Villupuram.

4.The Project Director,
District Rural Development Department,
Villupuram.

5.The Block Development Officer,
Kannai Union,
Villupuram District.

.. Respondents in
W.P.No.23132 of 2019

Prayer in W.P.No.23126 of 2019: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to issue tender schedule and allow the petitioner to submit his bid and participate in tender conduct by the 5th respondent office in the forth coming days and consider the petitioner's representation dated 24.07.2019.

Prayer in W.P.No.23130 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to issue tender schedule and allow the petitioner to submit his bid and participate in tender conduct by the 5th respondent office in the forth coming days and consider the petitioner's representation dated 24.07.2019.

Prayer in W.P.No.23132 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to issue tender

schedule and allow the petitioner to submit his bid and participate in tender conduct by the 5th respondent office in the forth coming days and consider the petitioner's representation dated 24.07.2019.

For Petitioner : Mr.E.C.Ramesh
(in all WPs)

For Respondents : Mr.N.Inbanathan, AGP
(in all Wps)

COMMON ORDER

By consent, the main writ petitions itself are taken up for final disposal at the admission stage itself.

2. Heard Mr.E.C.Ramesh, learned counsel appearing for the petitioners and Mr.N.Inbanathan, learned Additional Government Pleader, who takes notice on behalf of the respondents.

3. The prayer in these writ petitions are to issue a Writ of Mandamus directing the respondents to issue tender schedule and allow the petitioners to submit their bid and participate in tender conducted by the 5th respondent office in the forth coming days and consider the petitioners' representation dated 24.07.2019.

4. The contention of the petitioners is that the respondents herein are carrying out the public work without inviting tender and without giving an opportunity to the petitioners to participate in the tender process. Therefore, the petitioners have given representations to the fifth respondent on 24.07.2019 to permit them to participate in the tender process and therefore, the writ petitions are filed immediately to consider the representations of the petitioners and pass orders.

5. A reading of the representations dated 24.07.2019 does not indicate which public work has now proposed to be carried out by the respondents and the manner in which the work has to be carried out. Without any specific averments in which tender the petitioners were prevented from participating the tender process, the Court cannot issue such direction sought for in these writ petitions.

6. Therefore, these Writ Petitions are dismissed. The petitioners are at liberty to approach this Court, if the respondents do not follow the Tender Transparency Act and other procedure to discriminate the petitioners and prevent them from participating the tender process, if they are otherwise eligible. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
Rural Development & Local Body Department,
Secretariat, Chennai-9.

2.The Director,
Rural Development & Local body Department,
Mount Road, Nandanam, Chennai.

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Office of Collectorate,
Villupuram.

4.The Project Director,
District Rural Development Department,
Villupuram.

5.The Block Development Officer,
Vikaravadi Union,
Villupuram District.

6.The Block Development Officer,
Kannai Union,
Villupuram District.

+1cc to Government Pleader sr.68122

W.P.Nos.23126,23130, 23132 of 2019

kk(co)
nr 30/09/2019