



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2019

CORAM:

THE HONOURABLE Mr. JUSTICE R. SURESH KUMAR

WEB COPY

W.P. (MD) No. 14603 of 2019
and
W.M.P. (MD) No. 11039 of 2019

S.K. Subba Reddiar

... Petitioner

Vs.

The Superintending Engineer (Highways),
NABARD and Rural Roads,
Tirunelveli Circle,
Reserve Line Road,
Illanthaikulam,
Palayamkottai Post,
Tirunelveli District 627 002.

... Respondent

Prayer: The Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to issue work order to the petitioner based on the tender submitted on 04.01.2019 for the works in SL.No.9 to 12 (package Nos.14 to 17) in the tender notification No.17/2018-2019/D1/dated 29.11.2018 and the petitioner's representation dated 09.01.2019.

For Petitioner : Mr. Ananth C. Rajesh

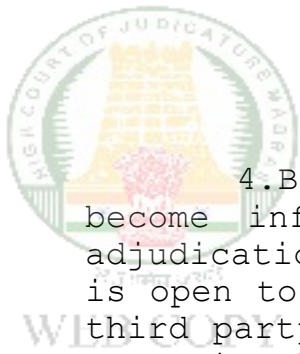
For Respondents : Mr. C.M. Mari Chelliah Prabhu, AGP

ORDER

The prayer in the Writ petition is for a Writ of Mandamus, directing the respondent to issue work order to the petitioner based on the tender submitted on 04.01.2019 in respect of the works in SL.Nos.9 to 12 (package Nos.14 to 17) in the tender notification No.17/2018-2019/D1, dated 29.11.2018 and the petitioner's representation dated 09.01.2019.

2. During the pendency of the Writ petition, the tender in question, was opened by the respondent and according to the respondent, the tender has been awarded to the third party, who according to them, become a successful tenderer.

3. However, the learned counsel for the petitioner would submit that, in view of the said development, even though the prayer sought for herein become infructuous, the petitioner will have every right to challenge such awarding of the contract to the third party.



4. Be that as it may, since the prayer sought for herein has become infructuous, nothing survives in this Writ petition for adjudication. Hence, this Writ petition is dismissed. However, it is open to the petitioner to challenge the award of contract to any third party, if he is aggrieved. No costs. Consequently, connected W.M.P. is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

To

The Superintending Engineer (Highways),
NABARD and Rural Roads,
Tirunelveli Circle, Reserve Line Road,
Illanthaikulam, Palayamkottai Post,
Tirunelveli District 627 002.

+1cc to Mr. ANANTH C. RAJESH, Advocate, SR.No.75376

+1cc to THE SPL. GOVT PLEADER SR.NO.75447

W.P. (MD) No.14603 of 2019

NA (02.08.2019) 2P : 4C