



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P.(MD).No.13024 of 2015

S.Kumarasamy

.. Petitioner

Vs.

1.The District collector,
Office of the District Collector,
Tirunelveli District.

2.The Regional Director of Municipal Administration,
Palayamkottai,
Tirunelveli.

3.The Municipal Commissioner,
Kadayanallur Municipality,
Kadayanallur.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, to direct the first respondent to pass suitable orders on the representation of the petitioner, dated 13.07.2015.

For Petitioner : Mr.A.Sivasubramanian

For Respondents: Mr.B.Bhagawathi for R1 and R2

Government Advocate

M.P.Srinivas for R3

ORDER

This writ petition is filed only for issuance of Writ of Mandamus, to direct the first respondent to pass suitable orders on the representation of the petitioner, dated 13.07.2015.

2.In the representation, dated 13.07.2015, made by the petitioner, he requested the District Collector to cancel the resolution of the 3rd respondent Council, to the effect that now Contractors would be registered only after the approval of Council and to take action to register him as a Contractor and till such time forbear the Municipality from issuing any tender notice.

3.Learned counsel for the petitioner states that the petitioner who has undertaken several Government Projects, should be registered as a Contractor in the 3rd respondent Municipality. The petitioner has stated that the decision of the council is only to prevent the petitioner from getting any work from the third respondent and to favour the Contractors who have close association with Councillors. The 3rd respondent, in the matter of awarding contracts must adopt a procedure which is fair and transparent. It is to the discretion of council to register the



Contractors with out following any norms.

4.Having regard to the limited scope of the writ petition, without expressing any opinion on the merits of the petitioner's representation, this Court is inclined to direct the first respondent to pass suitable orders on the representation of the petitioner, dated 13.07.2015, after giving adequate opportunity to the petitioner and if necessary after hearing the third respondent, within a period of eight weeks from the date of receipt of copy of this order.

5.With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The District collector,
Office of the District Collector,
Tirunelveli District.

2.The Regional Director of Municipal Administration,
Palayamkottai,
Tirunelveli.

3.The Municipal Commissioner,
Kadayanallur Municipality,
Kadayanallur.

+1 CC to M/s.A.SIVASUBRAMANIYAN, Advocate (SR-103408[F] dated 04/12/2019)

+1 CC to M/s.SPL GP (SR-103277[F] dated 04/12/2019)

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SMA/19/12/19/2P/6C