



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

W.P (MD) Nos. 24148 & 24149 of 2019

WEB COPY

M. Malaiyandi Prabu

.. Petitioner in both W.Ps.

Vs.

The Commissioner,
Vickaramasingapuram Municipality,
Tirunelveli District.

... Respondent in WP (MD) No. 24148/2019

The Commissioner,
Ambasamudram Municipality,
Tirunelveli District.

... Respondent in WP (MD) No. 24149/2019

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to refund the amount deposited by the petitioner towards EMD amount Rs.49,600/- and Rs.79,000/- respectively for participating in tender process in the year 2017-18 within the time frame stipulated by this Court as per the petitioner's representations dated 03.07.2019.

For Petitioner : Mr. G. Mohankumar
in both writ petitions.

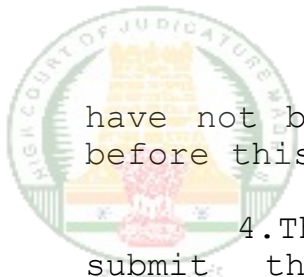
For Respondent : Mr. H. Arumugam
in WP (MD) No. 24148/2019
: Mr. M. Rajarajan
in WP (MD) No. 24149/2019

COMMON ORDER

The writ petitioner, seeks a writ of mandamus, directing the respondent to consider his representations dated 03.07.2019 to refund the Earnest Money Deposit made by him.

2. Mr. H. Arumugam, learned counsel takes notice on behalf of the respondent in WP (MD) No. 24148 of 2019 and Mr. M. Rajarajan, learned counsel takes notice on behalf of the respondent in WP (MD) No. 24149 of 2019. By consent, the writ petitions are taken up for final disposal at the stage of admission itself.

3. The petitioner is an unsuccessful bidder. While submitting his bid, he made Earnest Money Deposit for a sum of Rs.49,600/- and Rs.79,000/- respectively. Even awarding the contract to somebody else, EMD amount due to him has not been refunded. Hence, he made representations dated 03.07.2019 to the respondent. The same



have not been disposed of till date. Therefore, the petitioner is before this Court.

4.The learned counsel appearing for the respondent would submit that the respondent will consider the petitioner's representations.

5.Considering the submissions so made, a direction is given to the respondent to dispose of the petitioner's representation dated 03.07.2019, within a period of four weeks from the date of receipt of a copy of this order.

6.The writ petitions are disposed of with the above direction. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

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+2 CC to Mr.G. MOHAN KUMAR, Advocate SR-98725,98726

+1 CC to Mr.H.ARUMUGAM, Advocate (SR-99066[F] dated 18/11/2019)

+1.CC. To Mr.M.Rajarajan, Advocate in SR No.98706

W.P(MD)Nos.24148 & 24149 of 2019
15.11.2019

MK (02.12.2019) 2P 5C