



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

WEB COPY

W.P. (MD).No.24194 of 2019

A.Pandian

.. Petitioner

Vs.

1.The District Collector,
Madurai District.

2.Executive Engineer,
Water Resources Organization/Public Works Department,
Periyar - Vaigai Basin Division,
Madurai - 2.

3.Executive Engineer,
Water Resources Organization/Public Works Department,
Gundar Basin Division,
Madurai - 2.

4.Executive Engineer,
Buildings (Construction & Maintenance) Division,
Medical Works,
Madurai - 2.

5.Executive Engineer,
Buildings (Construction & Maintenance) Division,
Madurai - 2.

6.Executive Engineer,
Water Resources Organization/Public Works Department,
Periyar - Main Canal Division,
Melur, Madurai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents 2 to 5 to implement the order in W.P.(MD).No.9041 of 2014, dated 11.06.2014 passed by the High Court.

For Petitioner: Mr.K.Muraleedharan

For Respondents: Mr.J.Gunaseela Muthaiah

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of writ of Mandamus, directing the respondent 2 to 5 to implement the order in W.P.(MD).No.9041 of 2014, dated 11.06.2014 passed by the High Court.

<https://hcservices.mdmr.go.in/hcservices/>



2.As per the direction of this Court in W.P.(MD).No.9041 of 2014, dated 11.06.2014, the petitioner is entitled to get tender notice for the works to be carried on within the jurisdiction of the respondents 2 to 5. The grievance is that he was not issued with the tender notice, whereas it has been given to all other Contractors.

3.Controverting the facts, the respondents has come forward with the counter affidavit stating that the petitioner has obtained the Renewal Certificate only on 25.09.2019 and submitted the same before the respondents only on 05.11.2019. It is further stated that as long as the petitioner continues as a Registered Contractor, he is entitled and they would send all the tender notice to him. The relevant portion in the counter affidavit are as follows:

"Further it is submitted that Thiru A.Pandian, Melur has given representation with enclosing Renewal Certificate to this office on 05.11.2019 and requesting to send tender notices to him. A. Pandian has obtained Renewal Certificate from Engineer in Chief, WRD and Chief Engineer (Gl.) Chennai vide Lr.No.HDO/Sr.DO.1/F30973/2018/ dated 25.09.2019. In this regard, it is submitted that Thiru A.Pandian is eligible for participating in the Tender from the renewal date (25.09.2019).

In this regard it is submitted that the Tender schedules are given to registered contractor as per the law and there is no any deviations in the finalizing of tender of works to any individual as informed by the petitioner."

4.Recording the statement made in the counter affidavit, a direction is given to the respondent to issue tender notices to the petitioner continuously through registered post at the expense of the petitioner.

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

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)



To

- 1.The District Collector, Madurai District.
 - 2.The Executive Engineer, Water Resources Organization/Public Works Department, Periyar - Vaigai Basin Division, Madurai - 2.
 - 3.The Executive Engineer, Water Resources Organization/Public Works Department, Gundar Basin Division, Madurai - 2.
 - 4.The Executive Engineer, Buildings (Construction & Maintenance) Division, Medical Works, Madurai - 2.
 - 5.The Executive Engineer, Buildings (Construction & Maintenance) Division, Madurai - 2.
 - 6.The Executive Engineer, Water Resources Organization/Public Works Department, Periyar - Main Canal Division, Melur, Madurai.
- +1 CC to M/s.K. MURALEEDHARAN, Advocate (SR-101383[F] 26/11/2019)
- +1 CC to M/s.Special Government Pleader (SR-101480[F] 26/11/2019)

W.P. (MD) .No.24194 of 2019
25.11.2019

SDS/VR/SAR-3 (29.11.2019) 3P 9C