



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.12.2019**

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)Nos.25745 and 25748 of 2019

and

W.M.P (MD)Nos.22290 and 22291 of 2019

WEB COPY

S.Sankar

... Petitioner in both W.Ps

Vs.

1.The District Collector,
Thanjavur District.

2.The Project Director,
District Rural Development Agency,
Thanjavur District.

... Respondents in both W.Ps

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 2nd respondent to finalise the tender process by opening the technical bid and price bid of the petitioner for the work mentioned in Tender Notification in R.C.No.2528/2019/A4 dated 08.11.2019 and in Tender Notification in DIPR/4210/TENDER/2019 dated 06.11.2019 respectively.

(In both W.Ps)

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader

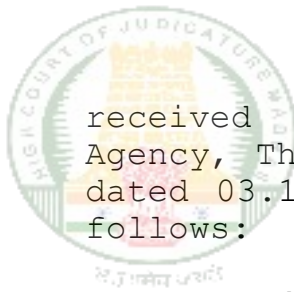
COMMON ORDER

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice for the respondents.

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

3. These Writ petitions have been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the second respondent to finalise the tender process by opening the technical bid and price bid of the petitioner, in respect of package No.6, for the work mentioned in Tender Notification R.C.No.2528/2019/A4 dated 08.11.2019 and in Tender Notification DIPR/4210/TENDER/2019 dated 06.11.2019 respectively.

4. The learned Special Government Pleader appearing on behalf of the respondents today furnished a copy of the proceedings
<https://hcservices.ecourts.gov.in/hcservices/>



received from the Project Director, District Rural Development Agency, Thanjavur in R.C.o.2528/2019/A4 dated 03.12.2019. The relevant portion of the said letter is as follows:

"Technical bids were opened on 27.11.2019 at 4.00 pm onwards. Out of 14 packages except package No.6 belongs to Kumbakonam block, each two bids were received. For package No.6, kumbakonam block, the following three bidders were participated in e-tender namely, **1.Thiru.S.Sankar,** 2.Thiru.M.Kalidasan and 3.Thiru.V.Gnanaprakasam. In the above three bidders **except Thiru.S.Sankar,** other two bidders were failed to submit the original EMD and other relevant documents in time.

Hence, the package No.6 turned as "Single Bid". Single bid may not be accepted as per tender rules."

5. From the above, it is seen that though the bids submitted by the petitioner were in order, since the other two bids have to be rejected in respect of package No.6 for which the petitioner had applied, it became a single bid and single bid cannot be accepted as per the tender rules.

6. Further, it is stated that due to the enforcement of Local Body Election Model Code of Conduct, the entire tender process were stopped and it will be proceeded after the withdrawal of M.C.C. Therefore, it is open to the petitioner to take part in the tender whenever re-tender is called for.

With the above observations, these writ petitions are disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

pm

To:

1.The District Collector,
Thanjavur District.



2.The Project Director,
District Rural Development Agency,
Thanjavur District.

+2 CC to Mr.P.GANAPATHI SUBRAMANIAN, Advocate (SR-103211[F] dated
03/12/2019)

+1 CC to SPL GP (SR-103585[F] dated 05/12/2019)

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VB(18.12.2019) 3P 6C