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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

WP. No.7358 of 2020
and
WMP.Nos.8790 & 8791 of 2020

Sri Lakshmi Construction,
Rep.by its Proprietor V.Munikrishnan,
Old No.86/5, New No.153, Palla Street,
Irungal Village, Sengadu Post,
Cheyyar Taluk,
Thiruvannamalai District.

... Petitioner

Versus

1.The District Collector (Development),
Tiruvannamalai,
Tiruvannamalai District.

2.The Commissioner,
Panchayat Union, Peranamallur,
Vanthavasi Taluk,
Tiruvannamalai District - 604 503.

3.The Block Development,
Panchayat Union, Peranamallur,
Vanthavasi Taluk,
Tiruvannamalai District - 604 503. ... Respondents

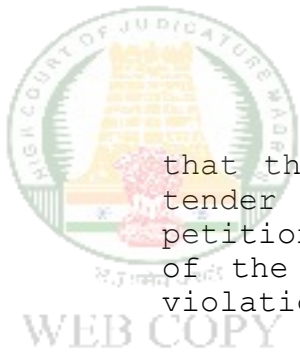
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records, relating to the tender notification of the 3rd respondent proceedings in Na.Ka.VaA2/286/2020, dated .03.2020 and quash the same consequently direct the 3rd respondent to issue fresh tender notification in accordance with law.

For Petitioner : Mr.Sathiyaraj. R,

For Respondents: Mr.E.Balamurugan,
Special Government Pleader.

ORDER

This Writ petition has been filed challenging the tender notification issued by the third respondent in the month of the March 2020. It is seen from the tender notification that it totally covers 17 works. The grievance of the petitioner is



that the respondents had intentionally published belatedly the tender notification and it came to be informed to the petitioner only one day before the last date for the submission of the tender. According to the petitioner, the same is in violation of the Tamil Nadu Transparency in Tenders Rules, 2000.

2.The learned Special Government Pleader appearing on behalf of the respondents submitted that insofar as 11 works are concerned, the tender was issued in favour of the successful bidder and the work itself has been completed. Learned Special Government Pleader further submitted that insofar as the balance 6 works are concerned, there was no participation and therefore, the tender was cancelled insofar as the six works are concerned. The learned Special Government Pleader, therefore submitted that nothing survives in the present Writ petition.

3.The learned counsel for the petitioner submitted that the Writ petition was filed on time, but however, due to COVID situation, the Writ petition was not taken up for admission and therefore, due to subsequent events, the relief sought for in the Writ petition has become infructuous. The learned counsel submitted that the illegality that has been pointed out in the present Writ petition is repeated every time and others are not allowed to effectively participate in the tender process. Therefore, the learned counsel submitted that the respondents must be directed to strictly follow the Tamil Nadu Transparency in Tenders Rules, 2000 and particularly Rule 20 of the said rules.

4.It is clear from the above submissions that the issue raised in the Writ petition has become infructuous due to the subsequent events and therefore there is no need or necessity to go into the merits of the case. It is expected that the respondents will have to necessarily follow the Tamil Nadu Transparency in Tenders Rules, 2000, every time when a tender notification is issued and they must ensure that there is wide participation in order to get the best bid.

5.This Writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

klt

To

1.The District Collector (Development),
<https://hcservices.ecourts.gov.in/hcservices/>
Tiruvannamalai,
Tiruvannamalai District.



2.The Commissioner,
Panchayat Union, Peranamallur,
Vanthavasi Taluk,
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3.The Block Development,
Panchayat Union, Peranamallur,
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Tiruvannamalai District - 604 503.

WP.No.7358 of 2020

MR(CO)
GMY(10/07/2020)