

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8755 of 2020
and
WMP.Nos.10625 and 10628 of 2020

APU Constructions,
Rep. by its Project Manager

... Petitioner

Vs.

1.The Superintending Engineer, Highways,
Construction and Maintenance,
Chennai Circle,
Chennai 600 106.

2.The Divisional Engineer (H),
Quality Control,
HRS Campus,
76, Sardar Patel Road,
Guindy, Chennai - 600 025.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the first respondent from opening the tender documents in respect of tender notice No.5/2020 - 2021/ HDO dated 29.05.2020 of the first respondent herein in respect of the works under the said tender notice without issuing the quality certificate to the petitioner and receiving the bids of the petitioner.

For Petitioner: M/s.AL.Ganthimathi

For Respondents: Mrs.P.Rajalakshmi

Additional Government Pleader

O R D E R

The relief sought in this writ petition is to issue a mandamus, forbearing the first respondent from opening the tender documents pursuant to the tender notice No.5/2020 - 2021/ HDO dated 29.05.2020 issued by the first respondent, without issuing the quality certificate to the petitioner and receiving the bids of the petitioner.

2. When the matter was taken up for consideration, the learned Additional Government Pleader taking notice for the respondents, on instructions, submitted that the Certificate as required by the petitioner has been issued by the second respondent. She has also marked a copy of the said Certificate to the Registry, which reads as follows:

"With reference to the above, I hereby certify that the following Plant and Equipments are available with the Contractor M/s.A.P.U. Constructions, Vengikkal, Thiruvannamalai. The Working Condition of the following Plant and Machineries are verified at the plant site location and are found to be in good condition.

1. Central Hot Mix Plant	: 1 (One) No.
2. Paver Finisher	: 1 (One) No.
3. Vibratory Roller	: 1 (One) No.
4. Static Roller	: 1 (One) No.
5. Earth Compactor	: 1 (One) No.
6. Concrete Mixer Machine	: 2 (Two) No.

This Verification Certificate is issued for participating in the Tender in NABARD and Rural Roads."

3. In view of the above, nothing survives for adjudication. Hence, recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents and the certificate issued by the second respondent, this writ petition stands closed. No costs. Consequently, the connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar (CS I)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The Superintending Engineer, Highways, Construction and Maintenance, Chennai Circle, Chennai 600 106.
2. The Divisional Engineer (H), Quality Control, HRS Campus, 76, Sardar Patel Road, Guindy, Chennai - 600 025.

W.P.No.8755 of 2020

PVS (CO)
RMP (30/09/2020)