



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2021

C O R A M

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.20409 of 2018

and

W.M.P.Nos.23992 & 23993 of 2018

S.Manivel

...Petitioner

Vs

1. The Chief Engineer,
PWD, WRO, Upper Cauvery Basin Circle,
Salem-7.

2. The Superintending Engineer,
PWD, WRO, Upper Cauvery Basin Circle,
Salem-7.

3. M/s.Super Fabricators,
C/o. PWD, WRO, Upper Cauvery Basin Circle,
Salem-7.

...Respondents

Prayer Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Certiorarified Mandamus, seeking to call for the records in Tender Notification dated 17.05.2018, for the 'Rehabilitation to the 16 vents in Ellis saddle and repair to the shutter to the Vent No.5 of the low level sluice in Stanley Reservoir at Mettur Dam in Salem District' in so far as Clause 1 and Clause 4 of Special Conditions for Eligibility of the contractors in bidding for the work and the consequent rejection order dated 22.06.2018 on the file of the second respondent and quash the same and to further direct the second respondent to consider the tender application submitted by the petitioner.

For Petitioner : Mr.V.Raghavachari

For R1 & R2 : Mr.V.Nanmaran
Additional Government Pleader

For R3 : Mr.V.Dinesh



ORDER

This Writ Petition has been filed seeking to call for the records in Tender Notification dated 17.05.2018, for the 'Rehabilitation to the 16 vents in Ellis saddle and repair to the shutter to the Vent No.5 of the low level sluice in Stanley Reservoir at Mettur Dam in Salem District' in so far as Clause 1 and Clause 4 of Special Conditions for Eligibility of the contractors in bidding for the work and the consequent rejection order dated 22.06.2018 on the file of the second respondent and quash the same and to further direct the second respondent to consider the tender application submitted by the petitioner.

2. When the matter was taken up for hearing on 16.11.2021, the learned counsel for the petitioner sought time to verify as to whether the matter has become infructuous or not. Therefore, the matter got adjourned. However, today also the learned counsel for the petitioner seeks time stating that he could not contact the petitioner.

3. The learned Additional Government Pleader submitted that eleven contractors were participated in the tender, out of which, two contractors were selected and contract was also awarded to them. Therefore, the prayer sought for in the present Writ Petition has become infructuous.

4. In view of the submission made by the learned Additional Government Pleader, this Court is of the view that, since the contract was awarded to the successful bidder, nothing survives in the present Petition for further adjudication. Hence, this Writ Petition is dismissed as infructuous on the basis of the submission made by the learned Additional Government Pleader. However, if the petitioner intent to pursue the case, he is at liberty to review this petition. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

rst

To:

1. The Chief Engineer,
PWD, WRO, Upper Cauvery Basin Circle,
Salem-7.



2. The Superintending Engineer,
PWD, WRO, Upper Cauvery Basin Circle,
Salem-7.

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+1cc to Mr.Govindarajan, Advocate, S.R.No.59673

W.P.No.20409 of 2018
and

W.M.P.Nos.23992 & 23993 of 2018

MG (CO)
RGA (21/12/2021)