

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.11825 of 2020

Coimbatore Corporation Contractors
Welfare Association,
Registration No.81/2012,
Dynasty Apartment,
A7-Sundaresa Iyer Layout,
Trichy Road, Coimbatore - 641 018,
Rep.by its President R.Udayakumar

... Petitioner

Vs

1. The Additional Chief Secretary,
Rural Development and Panchayat Raj Department,
State of Tamil Nadu,
Secretariat, Chennai - 600 009.
 2. The Commissioner of Municipal Administration,
6th Floor, Ezhilagam,
Chepauk, Chennai - 600 005.
 3. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
 4. The Principal Chief Engineer,
Public Works Department,
Chepauk, Chennai - 600 005.
 5. The Superintending Engineer,
Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai - 600 002.
- ... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 16.06.2020 and pass orders by accepting the Fixed Deposit Receipt System or Bank Guarantee for the Payment of Earnest Money Deposit (EMD) at the time of submitting Tender Schedule

and Further Security Deposit (FSD) of the time of awarding contract for the work as like in other departments viz; State Highways, National Highways and Tamil Nadu Water and Drainage Board (TWAD).

For Petitioner	: Mr.S.Doraiswamy
For R1,2 & 4	: Mr.J.Ramesh, AGP
For R3	: Mrs.Karthikaa Ashok
For R5	: Mr.P.K.Paneer Selvam

O R D E R

According to the petitioner Association, they made a representation on 16.06.2020 to the respondents requesting to accept the bank guarantee for the payment of Earnest Money Deposit (EMD) by way of Fixed Deposit Receipt System at the time of submitting the Tender and further Security Deposit (FSD) at the time of awarding contract for the work. However, the said representation has not been considered by the respondents till date. Therefore, the Petitioner has come up with the present Writ Petition seeking a direction to the respondents to consider the said representation.

2.Heard the learned counsel for the petitioner, who submitted that the respondents may be directed to consider the representation submitted by the petitioner within a reasonable time to be fixed by this Court, which has not been seriously opposed on the side of the respondents.

3.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the petitioner's representation dated 16.06.2020 and pass appropriate orders, on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Chief Secretary,
Rural Development and Panchayat Raj Department,
State of Tamil Nadu,
Secretariat, Chennai - 600 009.
2. The Commissioner of Municipal Administration,
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Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai - 600 002.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.21870.

+1cc to the Government Pleader, S.R.No.22182.

PMK (CO)
CSR 28.04.2021

W.P.No.11825 of 2020

सत्यमेव जयते

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