



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.16546 OF 2021

AND

W.M.P.NO.17514 OF 2021

D.S.Prabhu

... Petitioner

.Vs.

1. The Director,
Directorate of Rural Development Agency,
Panagal Maligai, 4th & 5th Floor,
Saidapet, Chennai - 600 015.
2. The District Collector,
Tiruvallur District.
3. The Commissioner/Block Development Officer,
Thiruvalangadu,
Tiruthani Taluk,
Tiruvallur District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to open the tender immediately without making any delay in the presence of the petitioner and other tenderer's and vide notification issued by the 3rd respondent in his proceedings Na.Ka.No.955/2021/A2 dated 08.07.2021 and consequently directing the 3rd respondent to comply the Rule 8 of TN Tender Transparency Act, 1998 and to consider the petitioner representation dated 30.07.2021 in accordance with law.

For Petitioner : Mr.S.Kumaresan

For Respondents : Mr.U.Baranidharan
Government Advocate for R1 & R2

Mr.R.Neelakandan
Government Advocate for R3



ORDER

This writ petition has been filed for the issue of writ of mandamus directing the 3rd respondent to open the tender without any further delay in accordance with the Tamil Nadu Tender Transparency Act, 1998.

2. The grievance of the petitioner is that the 3rd respondent called for a tender and the petitioner had also participated in the tender and submitted his tender documents and paid the EMD amount on 28.07.2021.

3. According to the petitioner, for reasons best known to the 3rd respondent, the tender has not been opened and there is no proper response from the 3rd respondent in this regard. Hence, the present writ petition has been filed before this Court.

4. Heard S.Kumaresan, learned counsel appearing on behalf of the petitioner Mr.U.Baranidharan, learned Government Advocate appearing on behalf of the respondents 1 and 2 and Mr.R.Neelakandan, learned Government Advocate appearing on behalf of the 3rd respondent.

5. The learned counsel appearing on behalf of the 3rd respondent submitted that the tender was called for nearly six works amounting to a total sum of Rs.66.87 Lakhs. The learned counsel further submitted that there are totally five Contractors who had given the application and tender was closed on 29.07.2021. It was submitted that due to administrative reasons, the opening of tender was postponed and that it will be opened at any time and the applications will be scrutinized.

6. Taking into consideration the facts and circumstances of the case and the specific stand taken by the 3rd respondent, there shall be a direction to the 3rd respondent to open the tender and scrutinize the applications strictly in accordance with the Tamil Nadu Tender Transparency Act, 1998, within a period of one week from the date of receipt of copy of this order.

7. This writ petition is disposed of with the above directions. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



ssr

To

1. The Director,
Directorate of Rural Development Agency,
Panagal Maligai, 4th & 5th Floor,
Saidapet, Chennai - 600 015.
2. The District Collector,
Tiruvallur District.
3. The Commissioner/Block Development Officer,
Thiruvalangadu,
Tiruthani Taluk,
Tiruvallur District.

+lcc to Mr.S.Kumaresan, Advocate, S.R.No.39068
+lcc to the Government Pleader, S.R.No.39406

W.P.NO.16546 OF 2021 AND
W.M.P.NO.17514 OF 2021

KG(CO)
PBS/31/08/2021