



WEB COPY

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.24740 OF 2021

AND

W.M.P.NO.26021 OF 2021

M/s. Megathamman Projects Construction & Co.,
Represented by its Partner B.Suresh,
No.3/201A, Neela Sandhu Street, Meyyur,
Kalpakkam - 603 102.

... Petitioner

Versus

1. Union of India
Represented by the Secretary to
Government of India,
Department of Atomic Energy,
New Delhi.
2. The Technical Officer/C(SMU)
Bharatiya Nabhikiya Vidyut Nigam Ltd.,
Kalpakkam - 603 102
3. Additional General Manager (F&A),
Bharatiya Nabhikiya Vidyut Nigam Ltd.,
Kalpakkam - 603 102.
4. The Senior Manager (F&A),
Bharatiya Nabhikiya Vidyut Nigam Ltd.,
Kalpakkam - 603 102.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of WRIT OF MANDAMUS or any other writ or order or direction, directing the relating to Tender No.BHAVINI/CTC/SMU/248/2021, for the year 2021-2022 without insisting on the GST compliance against the GSTIN 33AAIFV6896K2ZC.

For Petitioner	:	Mr.G.Palani
For 1st Respondent	:	Ms.Saraswathy
		Senior Panel Counsel



O R D E R

This writ petition has been filed seeking for a direction relating to Tender No.BHAVINI/CTC/SMU/248/2021, for the year 2021-2022 without insisting on the GST compliance against the GSTIN 33AAIFV6896K2ZC.

2.The case of the petitioner is that, the petitioner firm is engaged in the service of maintenance of Government establishment as an establishment contractor. Further, the petitioner firm is already registered on the rolls of the Respondent Department and has completed various projects in providing house keeping and toilet maintenance for many years. While so, the respondents herein floated tender for providing house keeping and toilet maintenance services for a period of 2021-2022, to be operated in their buildings at kalpakkam. The petitioner herein prior to the above said tender, has completed 4 years as successful applicant in the above said house keeping and toilet maintenance work at the respondent projects. In the same way, the petitioner has become the successful bidder for tender No.BHAVANI/CTC/SMU/248/2021, being the lowest bidder and further the petitioner is ready to produce all the certificates which were required by the respondent and ready to pay the amount and to produce necessary certificates required by the respondents. Even then, they are not issuing the work order to the petitioner. Thereby, the petitioner made representations to the 2nd respondent dated 03.09.2021 and 23.09.2021. However, till date, they did not consider the representations. Hence, the present writ petition was filed.

3.Mr.G.Palani, learned Counsel appearing for the petitioner submits that this Court may issue a direction to the respondent to issue work order by considering the representations dated 03.09.2021 and 23.09.2021 and that, the petitioner is ready to produce all the necessary certificates and make payments to the respondents.

4.Ms.Saraswathu, learned Senior Panel Counsel appearing for the 1st respondent submits that if the petitioner complies all the mandatory requirements in the Work Order, then the Work Order will be issued to them within a period of four weeks.

5. Heard the learned counsel for the petitioner and learned counsel for respondents and perused the materials placed on record.

6. Considering the facts and Circumstances of the case and taking note of the submissions of the learned Counsel on either side, this Court directs the Respondents Departments (2 to 4) to



issue Work Order to the petitioner within a period of four weeks from the date of copy of this Order, if they comply with the mandatory requirements in the Work Order.

7. Accordingly, this Writ Petition is disposed of and the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

Sma

To

1. Union of India
Represented by the Secretary to
Government of India,
Department of Atomic Energy,
New Delhi.
2. The Technical Officer/C(SMU)
Bharatiya Nabhikiya Vidyut Nigam Ltd.,
Kalpakkam - 603 102
3. Additional General Manager (F&A),
Bharatiya Nabhikiya Vidyut Nigam Ltd.,
Kalpakkam - 603 102.
4. The Senior Manager (F&A),
Bharatiya Nabhikiya Vidyut Nigam Ltd.,
Kalpakkam - 603 102.

+1cc to Mr.G.Palani, Advocate, S.R.No.59576

W.P. No. 24740 of 2021
and
W.M.P.No.26021 of 2021

PL(CO)
RLP(06/01/2022)