



WEB COPY

W.P. (MD) No.1605 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) No.1605 of 2021

and

W.M.P. (MD) Nos.1372 to 1374 of 2021

S.Kannan

: Petitioner

Vs.

1.The Secretary to Government,
Adidraavidar Welfare Department,
Secretariat, Chennai - 9.

2.The District Collector,
Sivagangai District.

3.The District Adidraavidar Welfare Officer,
Collectorate,
Sivagangai.

4.The Executive Officer,
Thirupuvanam Special Grade Town Panchayat,
Thirupuvanam,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned tender notification of the 4th respondent dated 24.12.2020 in Na.Ka.No.415/2020/A1 and quash the same and consequently, forbear the 4th respondent from proceeding with the demolition and construction of new building in the place of Adidraavidar Girls Hostel situated in S.No.43/8b1 at S.Pudur Revenue Village, Thiruppuvanam Taluk, Sivagangai District, without obtaining permission from the 1st respondent.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader



ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

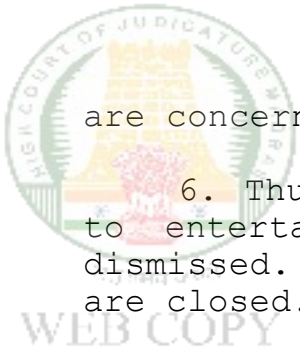
The petitioner, who belongs to a Political Party, has come forward to file this writ petition seeking issuance of Writ of Certiorarified Mandamus challenging the tender notice issued by the 4th respondent dated 24.12.2020 and with a consequential direction to forbear the 4th respondent from proceeding with the demolition, apart from constructing a new building in the place of Adidraavidar Girls Hostel.

2. The learned Counsel appearing for the petitioner made two submissions, namely, the procedure contemplated under the Tender Transparency Rules has not been complied with, by way of issuing District Tender Bulletin and approval has not been obtained from the Adidraavidar Department, which has been arrayed as 3rd respondent in this writ petition.

3. The learned Counsel appearing for the 4th respondent as well as the learned Special Government Pleader appearing for respondents 1 to 3 submitted that the tender notification was issued on 24.12.2020, pursuant to which, work order has been issued. Now, the demolition work is going on. Photographs have been produced to show the dilapidated condition of the building. The said building does not act as a hostel to the students, as a new place has been identified and a new building has also been constructed, where the children are housed. A copy of the District Bulletin dated 17.12.2020 has also been produced before this Court. The District Collector, namely, the 2nd respondent considered all the relevant materials and in and by the proceedings dated 11.09.2020, after calling for objections, ordered for reclassification. Therefore, no interference is required from this Court.

4. We do not find any merit in this writ petition. On the first issue raised, there is a publication in the District Tender Bulletin with respect to the tender schedule, dated 17.12.2020. Admittedly, the building in question is a dilapidated one and the demolition is going on. It was not used and a new building has been constructed and it is now catering to the need of the children, belonging to the Adidraavidar Community. No objection certificate has also been given before issuance of the tender.

5. In any case, the object of having a building for the Adidraavidar Students has already been achieved. The Government granted the land in question for the aforesaid purpose only. When the said activity is not happening and thereafter, a new building has been constructed for the said purpose, there is absolutely no basis for the objection now raised by the petitioner. In fact, the classification has been done only after calling for objections. Now, the work order has also been issued, as aforesaid. It is not in dispute that the children are not using the old building, which we



are concerned with. The demolition is also in progress.

6. Thus, in the light of the above, we do not find any reason to entertain this writ petition and the same is accordingly, dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CSIII)

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/ /2021

Sub Assistant Registrar (CS)

To

- 1.The Secretary to Government,
Adidraavidar Welfare Department,
Secretariat, Chennai - 9.
- 2.The District Collector,
Sivagangai District.
- 3.The District Adidraavidar Welfare Officer,
Collectorate,
Sivagangai.
- 4.The Executive Officer,
Thirupuvanam Special Grade Town Panchayat,
Thirupuvanam,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-3340[F] dated 04/02/2021)

W.P. (MD) No.1605 of 2021
02.02.2021

MJ(CO)
KB(15.02.2021) 3P 6C