



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.2815 of 2021

S.Murugan

... Petitioner

Vs.

1. The Commissioner,
O/o. The Municipal Administration and
Water Supply Department,
Pattinampakkam, Chennai.

2. The Regional Director,
The Municipal Administration and
Water Supply Department,
Thanjavur.

3. The Commissioner,
O/o.Pudukkottai Municipality,
Pudukkottai District.

... Respondents

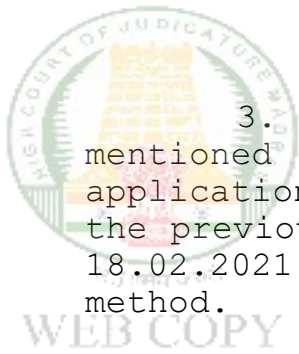
Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to issue application cum tender schedule to the petitioner and permit him to participate in the tender/auction in respect of various works falling under the jurisdiction of the third respondent in the year 2021-2022 by following the fair and reasonable procedure in terms of Tamil Nadu Transparency in Tenders Act, 1998 based on the petitioner's representation dated 06.02.2021 within the stipulated time fixed by this Court.

For Petitioner	: Ms.K.Vidya, for Mr.C.Abul Kalam Azad
For Respondents	: Mr.P.Mahendran, Additional Government Pleader.

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned Standing counsel appearing for the third respondent.

2. With the consent of the learned counsel on either side, the writ petition is taken up for disposal at the admission stage itself.



3. The petitioner wants to participate in the petition mentioned tender. The last date for submission of the tender application is 18.02.2021 at 11.30 a.m. E.M.D. is to be remitted by the previous day itself. The tenders are to be opened at 12 noon on 18.02.2021. The process to be adopted would be by tender-cum-auction method.

4. The learned Standing counsel states that the writ petition has been filed on a mere apprehension and that there is no real cause of action. In any event, the third respondent has no objection for directing the petitioner to take part in the tender-cum-auction process, subject to fulfillment of the usual formalities.

5. I clarify that the only relief granted to the petitioner is to enable the participation in the tender-cum-auction process and it will not cloth him with any right as such.

6. The learned Standing counsel appearing for the Municipality also informs this Court that the petitioner is not having any dues and that therefore, there will not be any difficulty in issuing No Dues Certificate to the petitioner also.

7. With this observation, this writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-III)

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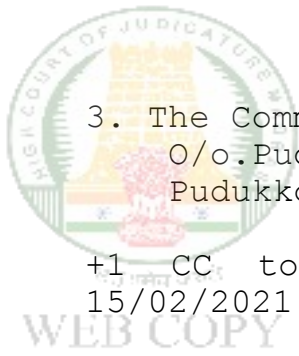
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Sub Assistant Registrar

NOTE:..In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Commissioner,
O/o. The Municipal Administration and
Water Supply Department,
Pattinampakkam, Chennai.
2. The Regional Director,
The Municipal Administration and
Water Supply Department,
Thanjavur.



3. The Commissioner,
O/o.Pudukkottai Municipality,
Pudukkottai District.

+1 CC to MR.C.ABUL KALAM AZAD, Advocate (SR-4994[F] dated
15/02/2021)

W.P. (MD) No.2815 of 2021
12.02.2021

PMU
MS/PN/SAR-1/15.02.2021/3P.5C