



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.5297 of 2021

and W.M.P. (MD) Nos.4219 & 4220 of 2021

(Through Video Conference)

WEB COPY

Y 115 Puliyoorsalai Labour Contract
Co-operative Society Ltd.,
Rep. through its President,
M.Swamydhass Masilamony,
Puliyoorsalai, Mancode Post,
Kanyakumari District 629 152

...Petitioner

Vs.

1. The Director of Town Panchayats,
Collectorate Complex,
Nagercoil - 629 001

2. The Assistant Director of Town Panchayats,
Collectorate Complex,
Nagercoil 629 001

3. The Executive Officer,
Alagiyapandiyapuram Second
Grade Town Panchayat,
Alagiyapandiyapuram Second Grade
Town Panchayat Office,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the third respondent in respect of the order passed in Na.Ka.No.23/2021/A1 dated 22.02.2021 and quash the same and direct the third respondent to include the tender form of the petitioner for awarding contract.

For Petitioner : Mr.V.O.S.Kalaiselvam

For Respondents : Mr.M.Lingadurai,
Government Advocate

ORDER

This Writ Petition has been filed challenging the refusal order issued by the third respondent dated 22.02.2021.

2. Heard Mr.V.O.S.Kalaiselvam, learned counsel for the petitioner and Mr.M.Lingadurai, learned Government Advocate for the respondents.



3. It is seen from the records that the third respondent had called for a Tender for supply of man-power to undertake cleaning work and for segregating the garbage, effective from 01.04.2021. The petitioner participated in the said tender and his application was rejected by the third respondent through the impugned letter dated 22.02.2021 on the ground that all the details have not been provided in the application.

4. When this writ petition was entertained by this Court, no interim order was passed by this Court and in spite of the same, the Tender was not confirmed and it is stated that the person, who was earlier doing the work, continues till date. This Tender was issued in the month of February 2021 and it is almost five months since it was issued. Therefore, no useful purpose would be served in going into the various grounds raised on their side.

5. This Writ Petition is disposed of with a direction to the third respondent to issue a fresh Tender notification and call for the bids and complete the process of allotting the work to the highest bidder within a period of four(04) weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

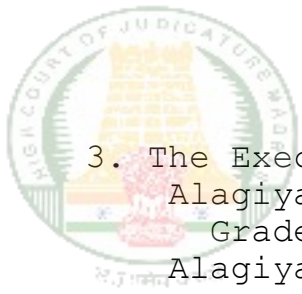
sts

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 Director of Town Panchayats,
Collectorate Complex,
Nagercoil - 629 001
2. The Assistant Director of Town Panchayats,
Collectorate Complex,
Nagercoil 629 001

<https://hcservices.ecourts.gov.in/hcservices/>



3. The Executive Officer,
Alagiyapandiyapuram Second
Grade Town Panchayat,
Alagiyapandiyapuram Second Grade
Town Panchayat Office,
Kanyakumari District.

+1 CC to M/s.V.O.S.KALAISELVAM, Advocate (SR-21135[F] dated
05/07/2021)

+1 CC to M/s.SPL GP (SR-21208[F] dated 05/07/2021)

Order made in
W.P. (MD) No.5297 of 2021
Dated:
02.07.2021

KK(05.07.2021) 3P 6C