



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10926 of 2021

and

W.M.P. (MD) .Nos.8573 and 8574 of 2021

M.Subramanian

... Petitioner

Vs.

1. The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.

2. The Assistant Commissioner,
Tirunelveli City Municipal Corporation,
Palayamkottai Zone, Tirunelveli.

... Respondents

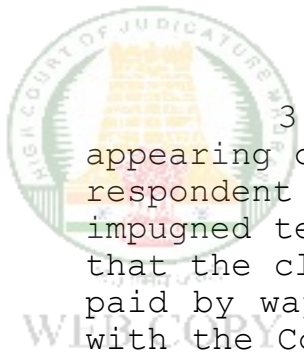
Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned notification issued by the first respondent vide his proceedings ம.தொ.அ/திலி.மாநகராட்சி/இ1/2020 dated 12.06.2021 in Dhinakaran Daily News papers, Tirunelveli Edition and quash the same as illegal, consequently directing the first respondent to proceed with the tender process pursuant to the notification issued by the first respondent vide his proceedings in Na.Ka.No.E1/05/2020-21 dated 23.02.2021.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.Aayiram K.Selvakumar
Standing Counsel

ORDER

This writ petition has been filed challenging the tender notification issued by the first respondent Corporation.

2. The grievance expressed by the petitioner is that the respondent Corporation had called for a tender during February 2021 and the petitioner participated in the tender and paid EMD through a Demand Draft for a sum of Rs.5,250/- and the petitioner had also quoted his bid amount. In spite of the same, there was no response from the respondent Corporation and the respondent Corporation went ahead and issued the impugned tender notification. Aggrieved by the same, the present Writ Petition filed before this Court.



3. Mr.Aayiram K.Selvakumar, learned Standing counsel appearing on behalf of the respondent Corporation submitted that the respondent Corporation had decided not to proceed further with the impugned tender notification. The learned counsel further submitted that the claim of the petitioner that a sum of Rs.5,250/-, which was paid by way of a Demand Draft to the Corporation, is not available with the Corporation and it is for the petitioner to establish that it was actually handed over to the Corporation.

4. In view of the specific stand taken by the respondent Corporation, no further orders are required to be passed in this Writ Petition, since the notification itself has been withdrawn. However, it is left open to the petitioner to independently make a representation to the respondent Corporation and claim for the Demand Draft and the same will be dealt with by the respondent Corporation on its own merits.

5. The Writ Petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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,
Tirunelveli City Municipal Corporation,
Tirunelveli.

2. The Assistant Commissioner,
Tirunelveli City Municipal Corporation,
Palayamkottai Zone, Tirunelveli.

Order made in
W.P. (MD) .No.10926 of 2021
Dated : 02.07.2021

KUN (CO)

TR(09.07.2021) 2P 3C