



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.A. (MD)No.723 of 2020

and W.M.P. (MD) Nos.4239 & 4240 of 2020

(Through Video Conferencing)

I.Ganapathy

: Appellant

Vs.

1.The Secretary

Department of Municipal Administration and Water Supply
Secretariat, Chennai.

2.The Commissioner of Municipal Administration

Department of Municipal Administration and water Supply
No.75 Santhome High Road,
MRC Nagar, Chennai.

3.The Commissioner,

Tirunelveli Corporation,
Tirunelveli.

4.G.Kannan

Commissioner
Tirunelveli Corporation
Tirunelveli

5.The Executive Engineer,

Tirunelveli Corporation,
Tirunelveli.

6.L.K.Baskar

Executive Engineer,
Tirunelveli Corporation
Tirunelveli.

7.M/s.NHA Associates,

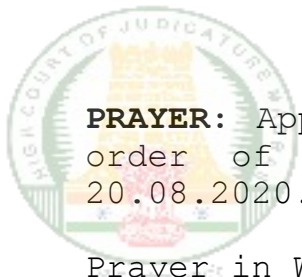
664-8 A-1, TVM Road
Tirunelveli

8.T.Balasubramanian

9.M/s.Mercy Rajan Associates

No.54, Chellathai Nagar,
Magilchi Nagar,
Tirunelveli.

: Respondents



PRAYER: Appeal filed under Clause 15 of Letters Patent against the order of this Court made in W.P.(MD) No.9633 of 2020 dated 20.08.2020.

Prayer in WP(MD). 9633/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ or Order or Direction or in the nature of Writ of Certiorarified Mandamus calling for the records of the impugned order of the 1st respondent in Letter No.8185/MC2 (1)/2020-6, dated 03/08/2020 and quash the same as illegal and consequently direct the 3rd Respondent to cancel the condition No.4.5 B of the Tender Notification No.21/2019-20 dated 08/01/2020 and declare the Petitioner as successful bidder for 22 works under the 14th Central Finance Commission.

For Appellant : Mr.R.R.Kannan

For Respondents : Mrs.J.Padmavathi Devi for R1&R2
Special Government pleader

Mr.Isaac Mohanlal
Senior counsel for
Mr.Ayiram K.Selvakumar,
Standing Counsel for R3 to R5

Mr.T.Lajapathi Roy for R7 & R9

No appearance for R6

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

The learned counsel for the petitioner seeks permission of this Court to withdraw the writ appeal. He has also circulated a letter dated 18.02.2021 to the Registry, wherein, it is stated as follows:

"The above writ appeal has been filed by the appellant challenging the tender condition No.4.5B of Tender notification issued by the 3rd respondent. Pursuant to the interim order granted by this Hon'ble Court in W.A.(MD) No.723 of 2020 dated 07.09.2020, the 3rd respondent has modified the tender condition No.4.5B of the tender notification No.24/2020-21 issued subsequently dated 28.10.2020. Hence, the appellant is not interested to pursue the matter any further. Hence, I most humbly request your good office to post the above writ appeal before the Hon'ble Court for withdrawal at the earliest."

2. In view of the said letter dated 18.02.2021, this writ



appeal is dismissed as withdrawn. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CO)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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 Secretary

Department of Municipal Administration and Water Supply
Secretariat, Chennai.

2.The Commissioner of Municipal Administration ,

Department of Municipal Administration and water Supply
No.75 Santhome High Road,
MRC Nagar, Chennai.

3.The Commissioner,

Tirunelveli Corporation,
Tirunelveli.

4.The Executive Engineer,

Tirunelveli Corporation,
Tirunelveli.

+1 CC to MR.R.R.KANNAN, Advocate (SR-6106[F] dated 19/02/2021)

+1 CC to MR.T.LAJAPATHI ROY, Advocate (SR-6396[F] dated
22/02/2021)

**Order made in
W.A. (MD)No.723 of 2020
Dated: 19.02.2021**

KM (02.03.2021) 3P 7C