



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11855 of 2021

and W.M.P. (MD) .No.9305 of 2021

WEB COPY

Vijayan

...Petitioner

Vs.

1.The Secretary,
Department of Municipal Administration,
St. George Fort,
Chennai.

2.The Commissioner of Municipal Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

3.The Commissioner,
Nagercoil Corporation,
Nagercoil,
Kanniyakumari District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to consider petitioner's offline application, dated 06.07.2021 in refers No.9845/E4/2021 for and evaluate the same based on petitioners email representation, dated 06.07.2021 and confirm petitioner's bid if he eligible.

For Petitioner : Mr.S.Balaji

For Respondents : Mr.M.Lingadurai for R1 & R2
Government Advocate

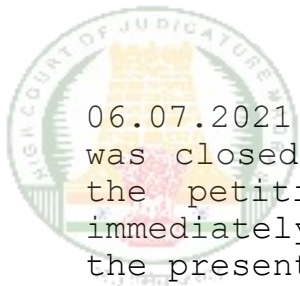
Mr.Athimoola Pandian for R3

ORDER

This writ petition has been filed for the issue of a writ of Mandamus, directing the third respondent to consider the application submitted by the petitioner and to permit the petitioner to participate in the auction.

2.Heard Mr.S.Balaji, learned counsel for the petitioner, Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 and 2 and Mr.Athimoola Pandian, learned Counsel appearing for the third respondent.

3.The grievance of the petitioner is that he attempted to submit the online application to participate in the auction on <https://hcservices.ecourts.gov.in/hcservices/>



06.07.2021 at about 04.00 p.m. But however, by then, the website was closed and he was not able to upload the application. Hence, the petitioner had sent the physical copy of the application immediately to the respondents. Since the same was not entertained, the present writ petition has been filed before this Court.

WEB COPY

4. It is important to take note of the requirements of the tender notice, dated 04.06.2021 and the same is extracted hereunder:

"2. Important Dates:

1. Date and Time of Pre bid meeting: 18.06.2021-11.00 A.M

2. Date and time for downloading bid documents : 06.07.2021-3.00 P.M.

3. Last Date and time for submission of bid document, including online submission 07.07.2021-3.00 P.M.

4. Date and time of Opening of the Technical Bid: 07.07.2021 3.30 P.M."

5. It is clear from the above schedule that the last date for uploading the application and the documents is 06.07.2021 by 03.00 p.m. The physical copy should be submitted on 07.07.2021 and this will be permitted only if the participant has already uploaded the application and the documents on 06.07.2021 by 03.00 p.m. Admittedly, the petitioner has not satisfied this requirement and he has only attempted to send the online application on 06.07.2021 at about 04.00 p.m.

6. In view of the above, the application submitted by the petitioner cannot be entertained by the respondents and he cannot participate in the auction and this Court does not find any merits in the writ petition.

7. This writ petition is dismissed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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,
St. George Fort,
Chennai.
- 2.The Commissioner of Municipal Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.
- 3.The Commissioner,
Nagercoil Corporation,
Nagercoil,
Kanniyakumari District.

+1 CC to M/s.SPL GP (SR-23208[F] dated 19/07/2021)

W.P. (MD) .No.11855 of 2021
16.07.2021

RD(27.07.2021) 3P 5C