



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition Nos.368, 369, 370 and 371 of 2022

S.Sundararaj

... Petitioner in all W.Ps.

vs.

1. The Superintending Engineer,
(Highways) Construction & Maintenance,
Salem Circle, Salem.

2. The Divisional Engineer,
Quality Control,
Opposite National Hotel,
Near Four Roads, Salem.

... Respondents in all W.Ps.

W.P.No.368 of 2022 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus, calling for the records relating to the e-mail communication dated 29.12.2021 of the 1st Respondent herein in respect of Work No.2 under Tender Notice No.3/2021-2022/HDO, dated 25.11.2021, quash the same and consequently direct the Respondents herein to consider the tender submitted by the Petitioner in respect of the said work.

W.P.No.369 of 2022 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus, calling for the records relating to the e-mail communication dated 29.12.2021 of the 1st Respondent herein in respect of Work No.2 under Tender Notice No.4/2021-2022/HDO, dated 26.11.2021, quash the same and consequently direct the Respondents herein to consider the tender submitted by the Petitioner on 27.12.2021 in respect of the said work.

W.P.No.370 of 2022 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus, calling for the records relating to the e-mail communication dated 30.12.2021 of the 1st Respondent herein in respect of Work No.2 under Tender Notice No.6/2021-2022/HDO, dated 30.11.2021, quash the same and consequently direct the Respondents herein to consider the tender submitted by the Petitioner on 27.12.2021 in respect of the said work.



W.P.No.371 of 2022 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus, calling for the records relating to the e-mail communication dated 29.12.2021 of the 1st Respondent herein in respect of Work No.2 under Tender Notice No.5/2021-2022/HDO, dated 30.11.2021, quash the same and consequently direct the Respondents herein to consider the tender submitted by the Petitioner on 27.12.2021 in respect of the said work.

For Petitioner in all W.Ps.: Mr.AR.L.Sundaresan,
Senior Counsel
for Mrs.AL.Gandhimathi

For Respondents in all W.Ps.: Mr.S.Silambanan,
Addl. Advocate General
assisted by
Mrs.C.Sangamithirai,
Special Government Pleader

COMMON ORDER

Petitioner has come up with the above Writ Petitions challenging the e-mail communications of the 1st Respondent in respect of Work No.2 under Tender Notice No.3/2021-2022/HDO, dated 25.11.2021; Tender Notice No.4/2021-2022/HDO, dated 26.11.2021; Tender Notice No.5/2021-2022/HDO, dated 30.11.2021 and Tender Notice No.6/2021-2022/HDO, dated 30.11.2021 and for a consequential direction to the Respondents to consider the tenders submitted by him in respect of the said work.

2. As the issue involved in all these Writ Petitions is one and the same, cases are taken up for disposal by a common order.

3. Today, when the matter was taken up for hearing, learned Senior Counsel appearing for the Petitioner submitted that, the Petitioner had applied for Working Condition Certificate and has also obtained Demand Drafts for participating in the tender. However, the original documents including the Earnest Money Deposit submitted by the Petitioner was not accepted by the 1st Respondent.

4. Learned Additional Advocate General appearing for the Respondents submitted that, though the Respondents have filed counter Affidavit, they have decided to recall the tender Notice impugned in the above Writ Petitions.

5. Recording the submissions of the learned Additional Advocate General that, the Respondents have decided to recall the Tender Notices impugned in the above Writ Petitions, this



Court is of the view that, nothing further survives for consideration in these Writ Petitions.

6. In view of the same, Writ Petitions are closed. However, the Petitioner is at liberty to participate in the future tender, if any, flouted by the Respondents. No costs. Consequently, connected W.M.P.Nos.411, 413, 418, 420, 419, 421, 424 and 425 of 2022 are closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To:

1. The Superintending Engineer,
(Highways) Construction & Maintenance,
Salem Circle, Salem.
2. The Divisional Engineer,
Quality Control,
Opposite National Hotel,
Near Four Roads, Salem.

+1cc to Mrs.A.L.Ganthimathi, Advocate, S.R.No.3449
+1cc to the Government Pleader, S.R.No.3409

W.P.Nos.368, 369, 370 & 371 of 2022

PCH(CO)
SB(09/02/2022)