



WEB COPY



W.P.No.33936 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.33936 of 2022

&

W.M.P.No.33425 of 2022

A.Chinnappapadayachi

...Petitioner

Vs.

- 1.The District Collector
Salem District- 636 001.
- 2 The Assistant Director of Town
Panchayats Salem Zone Collectorate
Building Salem - 636 001.
- 3 The Executive Officer
Special Grade Town Panchayat
Sankagiri Town
Salem District- 637 301.
- 4 The Junior Engineer
Special Grade Town Panchayat
Sankagiri Town
Salem District- 637 301.
- 5 The Assistant Executive Engineer
Town Panchayats, Salem Zone- II
Collectrate Building Salem - 636 001.

... Respondents



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PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus to call for the records of the 3rd Respondent pertinent to the Na.Ka. No.384 / 2017 dated 25.11.2022 and the order of Re-tender General Fund 2022 - 2023 under Na.Ka. No. 384/ 2017 dated 29.11.2022 and to quash the same and to direct the 3rd Respondent to permit petitioner to carry out the Tender Work under Na.Ka. No. 384 / 2017 dated 04.07.2022.

For Petitioner : Mr.M.Prabakar

For Respondents : Mr.N.Naveen Kumar, Govt.Advocate
for R1 and 2

Mr.T.Sampath Kumar, for R3 to5

ORDER

Writ Petition has been filed praying to issue a writ of Certiorarified mandamus to call for the records of the 3rd Respondent pertinent to the Na.Ka. No.384 / 2017 dated 25.11.2022 and the order of Re-tender General Fund 2022 - 2023 under Na.Ka. No. 384/ 2017 dated 29.11.2022 and to quash the same and to direct the 3rd Respondent to permit petitioner to carry out the Tender Work under Na.Ka. No. 384 / 2017 dated 04.07.2022.

2. It is the contention of the petitioner that his a successful bidder for demolishing certain buildings. When the work order was issued, the



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condition number 8 was not accepted by the petitioner and sought to remove the conditions which they did not agree. Therefore, the petitioner has filed this Writ Petition to direct the 3rd respondent to permit the petitioner to carry out the tender work.

3. Mr.T.Sampath Kumar, takes notice for the respondents 3 to 5 and submits that as per the tender condition petitioner did not commence the work within 15 days and therefore his tender has been cancelled and re-tender has been ordered and work has also been allotted and the buildings have been demolished.

4. In such view of the matter, nothing survives for consideration in the Writ Petition. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Writ Miscellaneous petition is closed.

19.12.2022

kpr
Internet:Yes
Speaking/non-speaking order



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To

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N. SATHISH KUMAR, J.

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