



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

WEB COPY

W.P. (MD) No.2882 of 2020

Saravana Associates,
Builders, Promoters and Contractors
represented by its Partner,
J.Uppili Srinivasan,
S/o.G.K.Jeganathan,
No.5, Sri Mookambigai Nagar,
Manojipatti Road, M.C.Post,
Thanjavur 613 004.

... Petitioner

/vs./

1.The Assistant Commissioner,
HR & CE Department,
Arulmigu Abathsagayeswarar Temple,
Alangudi, Tiruvarur District.

2.The Country Director,
India Resident Mission,
4, San Martin Marg,
Chanakyapuri, New Delhi 110 021.

3.The Director of Tourism/Project Director,
Project Manager Unit (ADB-IDIPT),
Tamil Nadu Tourism Complex,
No.2, Wallajah Road, Chennai -2.

(R2 and R3 have been impleaded vide order
dated 26.04.2022.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to follow the rules and regulations of the above said tender Bid Invitation No.PIU/HR&CE/Roc.No.72245/2017/Y2 dated 09.09.2019.

For Petitioner	: M/s.A.Devaki
For R1	: Mr.V.Chandrasekar
For R2	: Mr.P.Subbaraj
	Special Government Pleader

ORDER

The writ petition has been filed by the petitioner for a Mandamus to direct the respondents to follow the rules and regulations under the The Tamil Nadu Transparency in Tenders Act, 1998 (Tamil Nadu Act 43 of 1998).



2.It is the specific case of the petitioner that the 2nd respondent temple had floated a tender for laying paver blocks in the temple premises. It is submitted that the petitioner was disqualified at the price bid stage itself. However, the reason for rejecting the price bid of the petitioner was not properly communicated to the petitioner and therefore, the entire rights awarded thereafter are liable to be interfered with. It is further submitted that if the petitioner was informed about the reasons why tender bid of the petitioner was being rejected on account of the price criteria, the petitioner would have preferred an appeal under the aforesaid Rules. However, this was not done.

3.Opposing the prayer, the learned counsel for the 2nd respondent temple submits that this writ petition has become infructuous in the light of the fact that the project, which was to be funded by Asian Development Bank (ADB) for laying paver blocks in the temple premises, was later withdrawn and therefore, the respondent Bank has proceeded with laying of Granite materials in the temple premises. It is submitted that there is no merits in this writ petition.

4.Considering the fact that the tender was not proceeded further, nothing survives for adjudication in the present writ petition. The writ petition therefore stands dismissed. No costs.

Sd/-

Assistant Registrar(CS.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

- 1.The Country Director,
India Resident Mission,
4, San Martin Marg,
Chanakyapuri, New Delhi 110 021.
- 2.The Director of Tourism/Project Director,
Project Manager Unit (ADB-IDIPT),
Tamil Nadu Tourism Complex,
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SA(01.06.2022) 2P 3C

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