



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.5520 of 2022

and

W.M.P.[MD]No.4467 of 2022

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M/s.Esaares Traaders,
Represented by its Proprietor,
Mr.S.R.Subramonian

... Petitioner

/Vs./

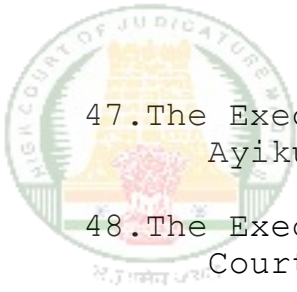
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Directorate Of Town Panchayat,
7th And 8th Floor,
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Zonal Office, Balaji Nagar, Palanichettipatti, Theni - 625531.
- 3.The Assistant Director Of Town Panchayat,
Zonal Office, Ngo "B" Colony, Jawaharpuram,
Eastern Side Of EPF Office, Perumalpuram, Tirunelveli - 627 007.
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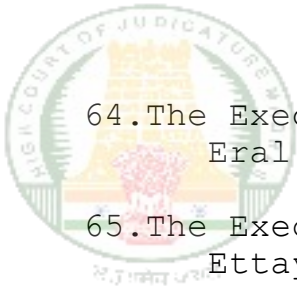
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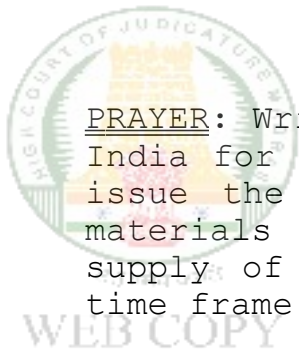


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Thondi Town Panchayat, Ramanathapuram District.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to issue the tender notification and tender schedule for supply of materials to the respondents 5 to 96 or conduct the Tender for supply of materials through E-Tender procedure (online) within a time frame fixed by this Court.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to issue the tender notification and the tender schedule for supply of materials to the respondents 5 to 96 or conduct the Tender for supply of materials through E-Tender procedure (online), within a time frame to be fixed by this Court.

2.The petitioner is a supplier of materials. According to the petitioner, they have been regularly participating in the tenders called for by the respondents and they have been successful on many occasions. But, according to them, without a proper tender notification and without furnishing a copy of the tender schedule, auctions are conducted by the respondents, which is detrimental to the public interest. In such circumstances, the petitioner has filed this writ petition.

3.Heard Mr.R.J.Karthick, learned Counsel for the writ petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of all the respondents.

4.It is a settled law that the respondents will have to adhere to the the Tamil Nadu Transparency in Tenders Act, 1998 and the rules thereof, while conducting any auction. The petitioner's apprehension is that the respondents, without issuing a proper tender notification and without furnishing a copy of the tender schedule, has been conducting auctions.

5.However, as seen from the affidavit filed in support of this writ petition, there is no specific complaint made against the respondents. In such circumstances, the only order that can be passed by this Court is that in future, the respondents will have to strictly adhere to the Tamil Nadu Transparency in Tenders Act, 1998 and the rules thereof.

6.Accordingly, this Writ Petition is disposed of by directing the respondents to strictly adhere to the provisions of the Tamil Nadu Transparency in Tenders Act, 1998 and the rules thereof, while



conducting auctions in the near future. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

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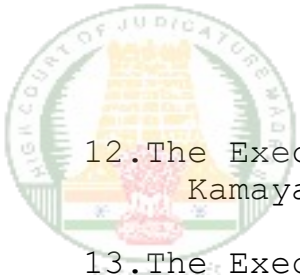
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Sub Assistant Registrar(CS)

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+1 CC to M/s.R.J.KARTHICK, Advocate (SR-15232[F] dated 30/03/2022)

+1 CC to M/s.SPL GP (SR-15649[F] dated 31/03/2022)

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RK(08/04/2022) 14P 99C