



W.P(MD)No.19662 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19662 of 2022

S.Vijayaraj

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Assistant Director of Rural Development
(Village Panchayat)
Tenkasi,
Tenkasi District.

3.The Block Development officer,
(Village Panchayat)
Kuruvikulam Panchayat Union,
Thiruvankadam Taluk,
Tenkasi District.

4.The Panchayat President,
Pazhankottai Village Panchayat,
Kuruvikulam Panchayat Union,
Thiruvankadam Taluk,
Tenkasi District.

5.Rajendran

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, to forbear the respondents No.



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1 to 4 from carrying out works at Thiayagarajapuram and Veppankulam area and road laying works at Pazhankottai without issuing tenders in accordance with the Tamil Nadu Panchayats (Preparation of Plans and Estimates for Works and Mode and Conditions of Contracts) Rules, 1998 and further direct the respondents No.1 to 4 to invite tenders to carry out works in Pazhankottai village panchayat as per Tamil Nadu Panchayats (Preparation of Plans and Estimates for Works and Mode and Conditions of Contracts) Rules, 1998 by considering the Petitioner's representation dated 26.07.2022.

For Petitioner : Mr.A.Robinson
For R1 & R2 : Mr.M.Prakash
Additional Government Pleader
For R3 & R4 : Mr.S.Kameswaran
Government Advocate

ORDER

Heard the learned counsel on either side.

2. The writ petitioner is a contractor. The prayer made in the writ petition is that the respondent must ensure that whenever civil works are to be carried out by the local body, then, tender process must be adopted. No exception can be taken to the said prayer.

3. When the matter was taken up for hearing, the learned standing counsel appearing for the local body submitted that paper publication will be



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made only if the value of the tender works is above Rs.10,00,000/- and if the value is below Rs.10,00,000/- paper publication is not made. Whenever the applications are called for from the contractors for carrying out the tender works, the fourth respondent shall intimate the petitioner by registered post. To enable R4 to do so, the petitioner shall pay a sum of Rs.500/-per annum in advance. This intimation shall be sent well in advance so that the petitioner has time to submit his explanation. The respondents will have to necessarily carry out the works as per the provisions of the Tamil Nadu Panchayats (Preparation of Plans and Estimates for Works and Mode and Conditions of Contract) Rules, 1998.

4. The Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

25.08.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

rmi

To

- 1.The District Collector,
Tenkasi District,
Tenkasi.
- 2.The Assistant Director of Rural Development
(Village Panchayat)
Tenkasi,
Tenkasi District.

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