



WEB COPY



W.P.No.3072 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No. 3072 of 2023
and W.M.P.Nos.3150 & 3151 of 2023

M.Ravi

.. Petitioner

Versus

1.The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai -600 003

2. The Zonal Officer, Zone III,
Greater Chennai Corporation
No.1, Thattankulam Road
Madhavaram
Chennai – 600 060

3. The Executive Engineer, Zone III
Greater Chennai Corporation
No.1, Thattankulam Road
Madhavaram
Chennai – 600 060

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certioraified Mandamus, to call for the records relating to the Tender Notification in E-Tender Limited Tender in Tender Reference No.Z.O.III.C.No.E1/8784/2022 dated 27.01.2023 (uploaded on 30.01.2023) and Tender Reference No. (not mentioned) dated 27.01.2023 (uploaded on 30.01.2023) on the file of the respondents 2 and 3 quash the same and direct



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the respondents to float open tender to participate all eligible contractors without registering login ID of each and every contractors after following the procedure laid down under Tamil Nadu Transparency in Tenders Act.

For Petitioner : Mr.S.Doraiswamy

For Respondents : Mrs.P.T.Ramadevi
Standing Counsel

ORDER

This Writ Petition has been filed challenging the Tender Notification in E-Tender Limited Tender in Tender Reference No.Z.O.III.C.No.E1/8784/2022 dated 27.01.2023 (uploaded on 30.01.2023) and Tender Reference No. (not mentioned) dated 27.01.2023 (uploaded on 30.01.2023) on the file of the respondents 2 and 3 quash the same and direct the respondents to float open tender to participate all eligible contractors without registering login ID of each and every contractors after following the procedure laid down under Tamil Nadu Transparency in Tenders Act.

2. The petitioner is the class II Contractor under the Respondent Corporation. The tender has been called for in Tender reference No. Z.O.III.C.No.E1/8784/2022 on 27.01.2023 for the works regarding the improvement, road cut restoration etc. The tender was uploaded in the official website on 30.01.2023. As per the tender notification, a bid must be



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submitted online on or before 02.2.2023 and would be finalised on 03.02.2023.

3. The petitioner though made an attempt to proceed with the tender, his login ID has not been registered. Hence, he challenged the notification on the ground that the tender notification is in complete violation of the Tamil Nadu Transparency in Tender Rules, 2000.

4. Though it is the contention of the respondent corporation that the limited tender was issued after obtaining the Order as per Sub clause 2 of the Rule 20 of Tamil Nadu Transparency in Tender Rules, 2000. No such materials was placed before this Court. On earlier occasion, this Court has passed the Order in W.P.No.1740 and 1747 of 2023, directing the respondent to strictly follow the Tamil Nadu Transparency in Tenders Act, 1998 and give sufficient time of 15 days. However, despite such order, the respondent, once again issued the tender restricting the period of time as required under the Rule 20 of Tamil Nadu Transparency in Tender Rules, 2000.



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5. Such view of the matter, the impugned tender notification in Tender reference No. Z.O.III.C.No.E1/8784/2022 dated 27.01.2023 is hereby set aside and this writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

6. Hereafter, the respondent corporation must follow the procedure strictly and comply with the Rules prescribed in Tamil Nadu Transparency in Tender Rules, 2000 and call for the Tender.

02.02.2023

dhk

Speaking Order : Yes / No

To

1.The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai -600 003

2. The Zonal Officer, Zone III,
Greater Chennai Corporation
No.1, Thattankulam Road
Madhavaram
Chennai – 600 060

N.SATHISH KUMAR, J.

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3. The Executive Engineer, Zone III
Greater Chennai Corporation
No.1, Thattankulam Road
Madhavaram
Chennai – 600 060

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