



WEB COPY



W.P.Nos.4101 & 4158 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HON'BLE MR. JUSTICE C. V. KARTHIKEYAN

Writ Petition Nos.4097 & 4101 of 2023

and

Writ Miscellaneous Petition Nos.4154 & 4158 of 2023

T.Anbalagan Constructions,
Contractor,
No.9, Nathamedu Street,
Olakkur Post,
Tindivanam Taluk,
Villupuram District

... Petitioner in both WPs

Versus

1. The Government of Tamil Nadu,
Rep by its Secretary,
Public Works Department,
Fort St.George, Chennai.
2. The Superintending Engineer,
Office of the Superintending Engineer (Highways)
Nabard and Rural Roads Circle Chengalpattu.
3. The Divisional Engineer (H),
Nabard and Rural Roads,
Vellore Cuddalore and Chengalpattu Division.
4. Kavish Constructions
No.13/14, Kashma Homes,
Duraismy Reddy 2nd Street
V.C.Nagar, Korattur, Chennai – 600 080.



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5. Renugammal Constructions,
Cheyyur, Chengalpattu District.

... Respondents in both WPs

Prayer in W.P.No.4097/2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents particularly the Superintending Engineer, (Highways) NABARD and Rural Roads Circle, Chengalpattu the 2nd respondent herein to award the tender in respect of Item No.3 in Tender Notice No.16/2022-2023/SDO dated 28.12.2022 upgradation of MV Road to Agaram Road KM o/o 3/2 in favour of the petitioner on the basis of the on-line tender application submitted on 28.01.2023 through the on-line for the above work and further direction to the 2nd respondent to issue the work order in respect of the Item No.3 of the tender notice No.16 2022-23/SDO dated 28.12.2022 forthwith to the petitioner.

Prayer in W.P.No.4101/2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents particularly the Superintending Engineer, (Highways) NABARD and Rural Roads Circle, Chengalpattu the 2nd respondent herein to award the tender in respect of Item No.2 in Tender Notice No.18/2022-2023/SDO dated 28.12.2022 upgradation of MV Road to Perukaranai Road KM o/o 3/6 in favour of the petitioner on the basis of the on-line tender application submitted on 28.01.2023 through the on-line for the above work and further direction to the 2nd respondent to issue



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the work order in respect of the Item No.2 of the tender notice No.18
2022-23/SDO dated 28.12.2022 forthwith to the petitioner.

For Petitioner in both WPs : Mr.K.Balakrishnan

For R1 to R3 in both WPs : Mr.U.Baranitharan,
Additional Government Pleader

COMMON ORDER

It is stated by the learned Additional Government Pleader that the bids were actually opened on 08.02.2023. The petitioner's bids have also been opened. All the bids are under consideration and that will take about 25 days' time.

2. This means, that the respondents would probably complete their examination of the bids only around the first week of March 2023.

3. The Writ Petitions need not be kept pending till such time.

4. The learned counsel for the petitioner made the following endorsement in the bundle.



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*“The Writ Petitioner may be permitted to withdraw
the Writ Petition.*

Sd/.....

13/02/2023.”

5. In view of the said statement of the learned Additional Government Pleader and the endorsement made by the learned counsel for the petitioner, both the Writ Petitions stands dismissed as withdrawn. However, this does not mean that the petitioner’s right to question any other aspect in the tender process in manner known to law has been negated. That right is always open. No order as to costs. Consequently, the connected miscellaneous petitions stands closed.

13.02.2023

ssi

Index : Yes/No

Internet : Yes/No



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C.V.KARTHIKEYAN,J.

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