



WEB COPY



W.P.No.4410 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2023

CORAM

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

Writ Petition No.4410 of 2023

Bommi Construction,
Rep by its Proprietor,
T.Boomi

... Petitioner

Versus

1. The Chief Engineer, (Highways),
Highways Research (Chennai),
Guindy, Chennai.
2. The Superintending Engineer (Highways),
Highway Department,
Nabard and Rural Roads Circle,
Chengalpattu.
3. The Divisional Engineer,
Quality Control Division,
Tiruvannamalai.
4. The Divisional Engineer(H),
Highways, C & M, Vellore Division,
Opposite to VIT, Katpadi,
Vellore – 632 014.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd and 4th respondents to issue the Completion Certificate and duly filled Annexure-



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A Contractor Performance Report in favour of the petitioner to participate in the on-line tender process that will be held on 15.02.2023 and consider the petitioner's representation dated 10.02.2023.

For Petitioner : Mr.A.Bakkiya Lakshmi

For Respondents : Mrs.P.Rajarajeswari,
Government Advocate

ORDER

The petitioner has filed the present Writ Petition in the nature of a Writ of Mandamus seeking a direction to the 3rd and 4th respondents to issue the Completion Certificate and Report of the performance of the petitioner herein so that, to enable the petitioner to participate in the on-line tender process scheduled to be held on tomorrow/15.02.2023.

2. The petitioner has come to the Court before the last day of tender process.

3. At any rate, it is the contention of the learned Government Advocate that the work of the petitioner had been examined and it was found that the petitioner had not completed the work.



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4. Let, further inspection to be made of the petitioner's work in the presence of the petitioner, later in the day today. Thereafter, if it is found satisfactory, a certificate may be issued. If it is not found satisfactory, a certificate cannot be issued.

5. The petitioner may forward his documents to participate in the tender subject to the certificate be issued by the respondents.

6. Mere participation will not give rights in equity on the part of the petitioner. If ultimately, it is found that the petitioner had not completed his work, the respondents are at liberty to disqualify the petitioner herein.

7. Stating as above, the Writ Petition stands disposed of. No order as to costs.

14.02.2023

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Index : Yes/No

Internet : Yes/No

Neutral Citation Case: Yes/No

Note: Issue Order Copy today (14.02.2023)



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To:

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C.V.KARTHIKEYAN,J.

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