



W.P.No.7640 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.7640 of 2023

and

W.M.P.No.7798 of 2023

S.Mahadevan

... Petitioner

Vs

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai – 600 003.
2. The Zonal Officer, Zone – 02,
Greater Chennai Corporation,
Manali, Chennai – 600 068.
3. The Executive Engineer, Zone – 02,
Greater Chennai Corporation,
Manali, Chennai – 600 068.

... Respondents

Prayer:– Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the orders passed by this Court in W.P.No.1740 and 1747 of 2023 dated 23.01.2023 and W.P.No.2686 of 2023 dated 01.02.2023 and permit the petitioner to upload his bid before the last date in E-Tender Limited Tender in Tender Reference No.Z.O.II.C.No.E1/5330/2022 (published on 04.03.2023) on the file of the respondents 2 & 3.



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For Petitioner : Mr.S.Doraisamy

For Respondents : Mrs.Aswini Devi.K,
Standing Counsel

ORDER

By consent of both the parties, this Writ Petition has been taken up for final disposal.

2. The learned counsel for the petitioner would submit that inspite of the best efforts, login ID has not been provided to him as to quote tender in the e-tender.

3. On instructions, learned Standing Counsel for Corporation would contend that the Appellate Authority has passed an order in appeal dated 04.02.2023, rejecting the contention of the appellant that execution work has to be completed within a scheduled time. Unless time is specified, it is not open to reduce the time. However, in the instant case, the tender in question ought to have been completed within seven days and the said seven days time limit is going to be expire on 12.03.2023.



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4. Taking note of the fact that the present petitioner is a poor performer, this Court is unable to accept the view that even if he is a poor performer on some adverse grounds, he has to be informed and proceeded as per the Rules.

5. Taking note of the fact that the earlier Writ Petition by an order dated 23.01.2023 made in W.P.Nos.1740 and 1747 of 2023, the present notification under challenge in which a specific time limit has been fixed namely 7 days. Accordingly, I find that said order in W.P.No.2686 of 2023, dated 01.02.2023 is complied with.

6. With regard to the second part of the prayer to permit the petitioner to upload the login I.D before the last date in e-tender, the learned Standing Counsel on instructions from the respondents states that they are willing to permit the petitioner to participate in the tender and to upload his registered I.D and in the E-Tender Tender Limited Tender in Tender Reference No.Z.O.II.C.No.E1/5330/2022 (published on 04.03.2023) and to that limited extent, the submissions made by the learned Standing Counsel is hereby recorded.



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7. In the result, this Writ Petition is allowed. No costs.

Consequently, connected W.M.P is closed.

10.03.2023

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Index:Yes/No

Neutral Citation : Yes/No

Note: Issue order copy on 10.03.2023

To

1. The Commissioner,
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Chennai – 600 003.
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RMT.TEEKAA RAMAN,J.,

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