



W.P.No.16273 of 2023
and W.M.P.No.15661 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.05.2023

CORAM

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.16273 of 2023
and W.M.P.No.15661 of 2023

A.Subbaiyan

... Petitioner

Vs.

1.The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai -3.

2.The Zonal Officer,
Zone -1,
Thiruvottriyur,
Chennai – 600 019.

3.The Zonal Officer,
Zone -2,
Manali,
Chennai – 600 068.



W.P.No.16273 of 2023
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4.The Zonal Officer,
Zone -3,
Madhavaram,
Chennai – 600 060.

5.The Zonal Officer,
Zone -4,
Tondairpert,
Chennai – 600 021.

6.The Zonal Officer,
Zone -5,
Royapuram,
Chennai – 600 021.

7.The Zonal Officer,
Zone -6,
Thiru-Vi-Ka-Nagar,
Chennai – 600 012.

8.The Zonal Officer,
Zone -7,
Ambattur,
Chennai – 600 053.

9.The Zonal Officer,
Zone -8,
Anna Nagar,
Chennai – 600 030.



W.P.No.16273 of 2023
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WEB COPY

10.The Zonal Officer,
Zone -9,
Teynampet,
Chennai – 600 034.

11.The Zonal Officer,
Zone -10,
Kodambakkam,
Chennai – 600 024.

12.The Zonal Officer,
Zone -11,
Valasaravakkam,
Chennai – 600 087.

13.The Zonal Officer,
Zone -12,
Alandur,
Chennai – 600 016.

14.The Zonal Officer,
Zone -13,
Adyar,
Chennai – 600 020.

15.The Zonal Officer,
Zone -14,
Perungudi,
Chennai – 600 091.



W.P.No.16273 of 2023
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WEB COURT

16.The Zonal Officer,
Zone -15,
Sozhiganallur,
Chennai – 600 119.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of MANDAMUS or order or direction in the nature of writ directing the respondents to withdraw the unit wise tenders for the Maintenance of Parks and Toilets and direct the respondents to issue separate tender for each Park and Toilet in order to participate by the Class - 5 contractors like the petitioner.

For Petitioner : Mr.V.Elangovan

For respondents : Mr.D.B.R.Prabhu

ORDER

The petitioner has sought for a prayer to direct the respondents to withdraw the unit wise tender for maintenance of parks and toilets and to direct the respondents to issue separate tender for each park and toilet



W.P.No.16273 of 2023
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WEB COPY

in order to enable the Clause 5 contractors like the petitioner to participate in an equal footing.

2. The petitioner would state that it is the usual practice of the respondents to call for tenders for each of the park and toilet separately. However, in a departure from the procedure, the 2nd to 16th respondents have combined all the parks and toilets in one unit and stated that each unit will contain 10 parks and 10 toilets. By virtue of such unification of the individual toilets and parks into a unit, Clause 5 contractors are totally excluded.

3. According to Mr.V.Elangovan, learned counsel for the petitioner, this is the bread and butter of the categories of the contractors, who come within the category of clause 5. He states that on 19.05.2023, a representation was given to the Commissioner, Greater Chennai Corporation by the petitioner.



W.P.No.16273 of 2023
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WEB COPY

4. Mr.D.B.R.Prabhu, learned counsel for the respondents would submit that a policy decision has been taken by the Corporation. Nonetheless, considering the fact that on 19.05.2023 a representation has been given by the writ petitioner to the Commissioner, Greater Chennai Corporation to separate the toilets and parks, thereby permitting the clause 5 contractors also to participate in the tender, suffice it to direct the 1st respondent to take a call on the representation made on 19.05.2023 on or before 30.05.2023, which is the date, according to Mr.V.Elangovan is the last date for submission of tender.

5. Considering the submissions, though the larger prayer has been sought for, I direct the 1st respondent to consider the representation dated 09.05.2023 made by the petitioner and decide either way on or before 30.05.2023.



W.P.No.16273 of 2023
and W.M.P.No.15661 of 2023

WEB COPY

6. With the above observation, the Writ Petition is disposed of.
Consequently, the connected Miscellaneous Petition is closed. No costs.

7. Due to paucity of time, Mr.D.B.R.Prabhu is directed to inform the 1st respondent about this order and ensure that the same is implemented.

Rst/kan

26.05.2023

To:

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W.P.No.16273 of 2023
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W.P.No.16273 of 2023
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V.LAKSHMINARAYANAN, J.
Kan/rst

W.P.No.16273 of 2023
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