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W.P.Nos.23013, 23017, 23020, 23022 and 23069 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2023

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P Nos.23013, 23017, 23020, 23022 and 23069 of 2023

and

W.M.P.Nos.22514, 22517, 22518, 22520, 22522, 22526,
22528, 22529, 22588 and 22589 of 2023

M/s.V.R.M.Contractor
Rep by its Proprietor R.Govindaraj,
S/o.Ramaraj,
No.2/90A, Aathur Main Road,
Veppanthattai,
Perambalur District – 621116.

... Petitioner in all WPs

Vs.

1.The State of Tamil Nadu
rep. by its Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai 600 009.

2.The Municipal Commissioner,
Valaparai Municipality,
Valparai – 642127,
Coimbatore District.

... Respondents in all WPs

PRAYER in W.P.No.23013 of 2023: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling



W.P.Nos.23013, 23017, 23020, 23022 and 23069 of 2023

for the entire records of technical evaluation of the 2nd respondent dated 22.07.2023 in respect of Petitioner's Tender ID No.2023_MAWS_336561_1 in Tender Reference No.1222/2023/E1, quash the same and consequently, direct the 2nd respondent to permit the petitioner to participate in the price bid for further evaluation and consideration.

PRAYER in W.P.No.23017 of 2023: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records of technical evaluation of the 2nd respondent dated 22.07.2023 in respect of Petitioner's Tender ID No.2023_MAWS_336571_1 in Tender Reference No.1222/2023/E1-4, quash the same and consequently, direct the 2nd respondent to permit the petitioner to participate in the price bid for further evaluation and consideration.

PRAYER in W.P.No.23020 of 2023: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records of technical evaluation of the 2nd respondent dated 22.07.2023 in respect of Petitioner's Tender ID No.2023_MAWS_336552_1 in Tender Reference No.1222/2023/E1-2, quash the same and consequently, direct the 2nd respondent to permit the petitioner to participate in the price bid for further evaluation and consideration.

PRAYER in W.P.No.23022 of 2023: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records of technical evaluation of the 2nd respondent dated 22.07.2023 in respect of Petitioner's Tender ID No.2023_MAWS_336563_1 in



W.P.Nos.23013, 23017, 23020, 23022 and 23069 of 2023

Tender Reference No.1222/2023/E1-3, quash the same and consequently, direct the 2nd respondent to permit the petitioner to participate in the price bid for further evaluation and consideration.

PRAYER in W.P.No.23069 of 2023: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records of technical evaluation of the 2nd respondent dated 22.07.2023 in respect of Petitioner's Tender ID No.2023_MAWS_338509_1 in Tender Reference No.1524/2023/E1-9, quash the same and consequently, direct the 2nd respondent to permit the petitioner to participate in the price bid for further evaluation and consideration.

For Petitioner : Mr.S.Saravanan
(in all WPs)

For Respondents : Mr.J.Ravindran
Additional Advocate General-IX
Assisted by Mrs.S.Anitha
Special Government Pleader
(in all WPs)

COMMON ORDER

These writ petitions are filed challenging the order passed by the 2nd respondent dated 22.07.2023 rejecting the technical bid of the petitioner.



W.P.Nos.23013, 23017, 23020, 23022 and 23069 of 2023

2. The learned counsel appearing for the petitioner assails the impugned order on the ground that technical bid of the petitioner was rejected for the reason that the petitioner failed to get Notary attestation in the certificates furnished by him. It is the case of the petitioner that in the tender notice, it has not been mentioned that Notary attestation is necessary in respect of all the certificates to be furnished by the petitioner.

3. Mr.J.Ravindran, learned Additional Advocate General-IX appearing for the respondents submits that even in the check list provided by the 2nd respondent, it is clearly mentioned that all the certificates furnished by the petitioner shall be attested by Notary Public. The learned Additional Advocate General-IX further submits that as early as 26.07.2023 itself the work order has been issued in favour of the successful bidders. He also produced the copy of the same.

4. In view of the fact the work order has already been issued in favour of the successful bidders, the prayer sought for in these writ petitions cannot be considered.



W.P.Nos.23013, 23017, 23020, 23022 and 23069 of 2023

5. Accordingly, the writ petitions are dismissed. However, the dismissal of the writ petitions will not deter the petitioner from challenging the work order passed in favour of the third parties by impleading them, if so advised. No costs. Consequently, the connected miscellaneous petitions are closed.

07.08.2023

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

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To

1.The Secretary to Government
State of Tamil Nadu
Municipal Administration and
Water Supply Department
Fort St. George, Chennai 600 009.

2.The Municipal Commissioner,
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W.P.Nos.23013, 23017, 23020, 23022 and 23069 of 2023

S.SOUNTHAR, J.

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