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W.P. No. 33159 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 33159 of 2023

and

W.M.P. Nos. 32847 and 32850 of 2023

S.Mahadevan

... Petitioner

-VS-

1. The Commissioner,
Greater Chennai Corporation,
Amma Maaligai, Rippon Building,
Chennai – 600003.

2. The Superintending Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Amma Maaligai, Rippon Building,
Chennai – 600003.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Tender Notification in Limited E-Tender Reference No. B.R.R.C. No. B4/5609/2023 (uploaded on 14.11.2023) on the file of the Second Respondent quash the same and direct the Respondents to float open tender in order to participate all eligible contractors without registering login ID of each and every contractors after following the procedure laid down under the Tamil Nadu Transparency in Tenders Act and Rules.



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For Petitioner : Mr. V.Elangovan

For Respondents : Ms. Ashwini Devi

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ORDER

Heard Mr. V.Elangovan, Learned Counsel for the Petitioner and Ms. Ashwini Devi, Learned Counsel appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed challenging the Tender Notification in limited e-Tender in reference No. B.R.R.C. No. B4/5609/2023 (uploaded on 14.11.2023) issued by the Second Respondent and for directing the Respondents to float open tender in order to enable all eligible contractors to participate without registering login ID for them, after following the procedure laid down under the Tamil Nadu Transparency in Tenders Act, 1998, and the Rules made thereunder.

3. This Court during the earlier hearing on 22.11.2023 had passed the following self-explanatory order:-

“2. In response to the contentions raised in the Writ Petition,

Learned Counsel appearing for the Respondents states that the



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Petitioner has been blacklisted by Proceedings in Ma. A-2 Na.

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Ka. No. 4008/2023 dated 03.11.2023 passed by the First Respondent.

3. *Learned Counsel for the Petitioner contends that the said order of blacklisting has been set aside in the order dated 17.11.2023 in W.P. No. 32348 of 2023 passed by this Court and as such, the Petitioner cannot be restrained from participating in the impugned tender.*

4. *Having regard to the rival submissions made, as an interim measure subject to the result of the Writ Petition, the Petitioner shall be permitted to submit online application for the impugned tender immediately, but implementation of any final decision awarding of that tender contract shall not be made without prior permission of this Court.*

Post the matter on 27.11.2023.”

4. It is represented today by Learned Counsel for the Respondents that the time limit for submitting the applications has been extended till 04.12.2023 and that the application of the Petitioner, which has been uploaded pursuant to the aforesaid order of this Court, would be considered on merits in accordance with



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law and he has made an endorsement to that effect in the court record.

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5. In view of the same, nothing remains for further consideration in the Writ Petition.

In the result, the Writ Petition is disposed. Consequently, connected Miscellaneous Petitions are closed. No costs.

28.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 14.02.2024.

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To

1. The Commissioner,
Greater Chennai Corporation,
Amma Maaligai, Rippon Building,
Chennai – 600003.
2. The Superintending Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Amma Maaligai, Rippon Building,
Chennai – 600003.



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P.D. AUDIKESAVALU, J.

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