



W.P. No. 36148 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 22.12.2023**

**CORAM**

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

**W.P. No. 36148 of 2023**

**and**

**W.M.P. Nos. 36106 and 36107 of 2023**

M/s.Karthikeyan Constructions,  
Represented by its Partner,  
C.Senthilkumar,  
S/o. Chinnasamy,  
No.4/120-1, Jalyhallikottai Village,  
Chettikarai Post,  
Dharmapuri Taluk and District.

... Petitioner

-VS-

- 1.The District Collector,  
Dharmapuri District,  
Dharmapuri.
- 2.The Block Development Officer,  
(Block Panchayat)  
Dharmapuri Block,  
SV Road,  
Dharmapuri 636 001.
- 3.Chinnamuthu,  
Contractor,  
Opposite to Government Arts College,  
Savulpatti Village,  
Collectorate Post,  
Dharmapuri Taluk and District.



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4.M/s.R.M. Constructions,  
Rep. by its Partner,  
R.Mallan,  
S/o. Rangan,  
3/29, Chinnanoolahalli Village,  
Mittanoolahalli Post,  
Dharmapuri Taluk and District.

... 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 impugned order passed by the 2<sup>nd</sup> respondent dated 15.12.2023 in rejecting the tender of the petitioner in pursuance of the tender notification in ROC.No.3027/2023/A2 dated 21.11.2023 and to quash the same, consequently, direct the 2<sup>nd</sup> respondent to declare the petitioner as successful bidder, who quoted the least amount in the tender and to issue work order in favour of the petitioner forthwith.

For Petitioner : Mr. C.Prabakaran

For Respondents : Mr. Alagu Gowtham  
Government Advocate

## ORDER

Heard Mr. C.Prabakaran, Learned Counsel for the Petitioner and Mr. Alagu Gowtham, Learned Government Advocate appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.



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2. When it was pointed out that the Petitioner has an effective alternative remedy to claim the relief sought in this Writ Petition by preferring an appeal under Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998, before the Government of Tamil Nadu, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the right of the Petitioner to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarification. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 21.12.2023, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, connected Miscellaneous Petitions are closed. No costs.

22.12.2023

Index: Yes/No

NCC: Yes/No

**Note: Issue order copy on 31.01.2024.**

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To

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1. The District Collector,  
Dharmapuri District,  
Dharmapuri.
2. The Block Development Officer,  
(Block Panchayat)  
Dharmapuri Block,  
SV Road,  
Dharmapuri 636 001.



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**P.D. AUDIKESAVALU, J.**

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