



W.P(MD)No.2805 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 14.02.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.2805 of 2023  
and W.M.P.(MD)Nos.2618 and 2619 of 2023

Pravin Construction,  
Represented by its Sole Proprietor,  
K.S.K.Harikrishnan

... Petitioner

**Vs.**

1.The Director of Town Panchayat,  
Directorate of Town Panchayat,  
7<sup>th</sup> & 8<sup>th</sup> Floor, Urban Administrative Office Campus,  
Chennai – 28.

2.The District Collector,  
Ramanathapuram District,  
Ramanathapuram.

3.The Executive Officer,  
Sayalkudi Town Panchayat,  
Ramanathapuram District,  
Ramanathapuram.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Tender Summary report of the 3rd respondent, rejecting the petitioner's tender in Bid No.619862 dated 26.01.2023 and quash the same and further directing the 3rd respondent to re-consider the petitioner's bid in Bid No.619862 as per law.



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For Petitioner : Mr.KR.Bharathi Kannan

For Respondents : Mr.M.Siddharthan,  
Addl. Government Pleader.

**ORDER**

Heard the learned counsel on either side.

2.The petitioner took part in the tender process floated by the third respondent. Condition No.6 of the check list is as follows:-

| Sl. No. | Compliance criteria as per clause | Details                                                                                                                                                                                                                                                                                                                                                                                                         | MSK. Harikrishnan |
|---------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 6       | 4.1.A.5                           | Whether Proof of the applicant for having working capital sufficient to finance at least 15% of value put to tender enclosed?<br><br>[Working capital will be calculated by adding the amount available in the bank account of the applicant on the date of submission of application and the unutilized amount of overdraft / credit facility extended to the applicant by the Nationalized / Scheduled banks] | No                |



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3.The petitioner obviously should have obtained statement from the bank after the issuance of the tender notification. Unfortunately, the petitioner has produced the bank statement issued on 04.06.2022. Thus the petitioner has failed to submit the relevant document. That is why, he was shown door at the technical scrutiny stage itself. I cannot fault or mistake the third respondent for passing the impugned order and it does not call for any interference. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**14.02.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
ias

To:

- 1.The District Revenue Officer,  
Tirunelveli District, Tirunelveli.
- 2.The Revenue Divisional Officer,  
Cheranmahadevi Revenue Division,  
Cheranmahadevi, Tirunelveli District.
- 3.The Thasildhar, Thisayanvillai Taluk,  
Thisayanvillai, Tirunelveli District.
- 4.The Village Administrative Officer,  
Thisayanvillai,  
Tirunelveli District.



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**G.R.SWAMINATHAN, J.**

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