



W.P(MD)No.3820 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3820 of 2023

and

W.M.P.(MD)No.3604 and 3605 of 2023

M.Nattarasan

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Block Development Officer (B.P),
Sivagangai Block,
Melasaloor Village,
Sivagangai District.

... 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 records in respect of the impugned rejection order passed / uploaded passed by the respondent No.2 dated 25.01.2023 in respect of the bid in Tender Ref. No. SVG - SALOORSCHOOL and quash the same as illegal and consequently directed the respondents to grant the Tender in favor of the petitioner for the



W.P(MD)No.3820 of 2023

said Tender works under Tender ID No.2023-RDTN-281045-1 for the constructions in two class room building for Melasaloor Village Panchayat Sivagangai union Elementary School in Saloor Panchayat, Sivgangai District.

For Petitioner : Mr.A.Mathan

For Respondents : Mr.Veerakathiravan,
Addl. Advocate General,
Assisted by Mr.M.Lingadurai,
Spl. Government Pleader.

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader assisted by the learned Special Government Pleader for the respondents.

2.The case the petitioner is that he was disqualified at the price bid stage even though he was the lowest bidder. The learned Additional Advocate General submitted that the petitioner could not have been considered as eligible tenderer to take part in the tender process. This is because in condition No.4 of the tender notification, it is stated that the tenderer can quote the tender based on the registered solvency certificate. If the tender is above the solvency



W.P(MD)No.3820 of 2023

certificate amount, the tender will be automatically rejected. The petitioner's solvency certificate amount is Rs.10 Lakhs only. The impugned tender value is Rs.28 Lakhs. Therefore, the communication issued by the second respondent will not infringe the rights of the writ petitioner. I sustain the stand taken by the learned Additional Advocate General and the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

03.03.2023

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

To:

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Block Development Officer (B.P),
Sivagangai Block,
Melasaloor Village,
Sivagangai District.



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W.P(MD)No.3820 of 2023

G.R.SWAMINATHAN, J.

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W.P(MD)No.3820 of 2023

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