



WEB COPY



W.P.(MD) No.8216 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.8216 of 2023
and
W.M.P.(MD) No.7568 of 2023**

Maria Michael

... Petitioner

-VS-

The Branch Manager
Tamil Nadu Mercantile Bank
College Road
Main Branch
Nagercoil-629 001

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records of the respondent in the letter dated 20.02.2023 quash the same and consequently direct the respondent to the EMD deposit amount of Rs.6,24,000/-.

For Petitioner : Mr.F.Deepak

For Respondent : Mr.P.Pethu Rajesh



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ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Prayer in this writ petition reads as follows:

“It is therefore prayed that this Hon'ble Court may be pleased to issue a WRIT OF CERTIORARIFIED MANDAMUS calling for the records of the Respondent in the Letter dated 20.02.2023 quash the same and consequently direct Consequently direct the respondent to the EMD deposit amount of Rs.6,24,000/- and pass such further other orders as this Hon'ble Court May deem fit in the facts and circumstances of the case and thus render Justice.”

2. Admittedly, the petitioner, who is the highest bidder, did not pay even 25% of the bid amount, which is payable immediately on being declared as the highest bidder. The forfeiture has been effected pursuant to the contract. Hence, we do not think that we can interfere with the same under Article 226 of the Constitution of India. The writ petition is, therefore, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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