



WP(MD)No.14469 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.11.2023**

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THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.14469 of 2021

and

W.M.P.(MD)Nos.11410 & 11411 of 2021

PPM.Meenakshi Groups,
Rep. By its Proprietor,
P.Baskaran

...Petitioner

/Vs./

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Dept. of Municipal Administration and Water Supply,
Fort. St. George, Chennai - 9.

2.The Corporation of Madurai,
Rep. by Its, the Commissioner,
Aringar Anna Maligai,
Outpost, Thallakulam, Madurai - 625 002.

3.A.3024, Madurai Mavatta Kuturavu Vellan
Poriyiyal Matrum Servai Sangam Varaiyarai,
Rep. by its President, Koodal Nagar,
Madurai District – 18.

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of certiorarified mandamus to call for the records pertaining to the Impugned order in H3/011994/2021 dated 02.08.2021 on the file of the



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respondent No.2 and quash the same as illegal and consequently direct the respondent No.2 to allot the Contracts pertaining to supply of tractors and trailers with driver for sanitary works only by way of a public auction.

For Petitioner : Mr.M.Mahaboob Fazil
for Mr.S.Rajasekar

For Respondents : Mr.B.Saravanan (R1)
Additional Government Pleader
Mr.S.Vinayak (R2)
No appearance (R3)

ORDER

This writ petition has been filed challenging the impugned proceedings of the second respondent dated 02.08.2021 and for a consequential direction to the second respondent to allot the contract pertaining to supply of tractors and trailers only by way of public auction.

2. Heard Mr.M.Mahaboob Fazil, learned counsel for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader for the first respondent and Mr.S.Vinayak, learned counsel for the second respondent.

3. The contract that has been put to challenge pertains to the period of one year from 05.08.2021 and this period is already over. Therefore, nothing



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survives in this writ petition. However, the other issue that has been raised by the learned counsel appearing for the petitioner is that the contracts by the State, its Corporations and Instrumentalities must normally be granted only through public auction by inviting tenders from the eligible persons and it should not happen through private negotiation.

4. In the considered view of this Court, this issue is now too well settled and the Corporations and Instrumentalities of the State will have to resort to public auction by inviting tenders and should avoid awarding contracts through private negotiation. This shall be kept in mind by the respondent Corporation while awarding contracts in future.

5. This writ petition is disposed in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

29.11.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
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N.ANAND VENKATESH, J.

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TO:-

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Dept. of Municipal Administration and Water Supply,
Fort. St. George, Chennai - 9.
- 2.The Corporation of India,
Rep. by Its, the Commissioner,
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Outpost, Thallakulam, Madurai - 625 002.

Order made in
W.P.(MD)No.14469 of 2021

Dated:
29.11.2023