



W.P.(MD)No.21700 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.21700 of 2023

and

W.M.P.(MD)No.18103 of 2023

K.D.S.J.S.Construction (P) Ltd.,
Rep. by it Partner,
M.S.Jenila,
W/o. Sam Bred Raj,
D.No.31/22, Alamparavilai Veedu,
Mukkuttukal,
Mangalumoodu Post,
Kanyakumari District.

... Petitioner

versus

1. The Director of Town Panchayats,
7th and 8th Floor,
Urban Administrative Office Campus,
Santhome Road,
M.R.C. Nagar,
Chennai.
2. The District Collector,
Kanyakumari District,
Nagercoil.



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3. The Assistant Director of Town Panchayats,
Collector's Office,
Nagercoil,
Kanyakumari District.

4. The Executive Officer,
Special Grade Town Panchayat,
Kaliyakkavilai,
Kanyakumari District.

5. The President,
Special Grade Town Panchayat,
Kaliyakkavilai,
Kanyakumari District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents 4 and 5 to issue Tender Registration License in the name of K.D.S.J.S. Construction (P) Ltd., by considering the petitioner's representation dated 31.07.2023 within the time frame as fixed by this Court.

For Petitioner : M/s.B.Christopher

For R1 to R3 : Mr.P.T.Thiraviam,
Government Advocate

For R4 and R5 : Mr.S.Shaji Bino,
Special Government Pleader



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ORDER

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2. Mr.S.Shaji Bino, learned Special Government Pleader, who takes notice for respondents 4 and 5, on instructions, submits that the petitioner Company has not paid the required registration fee and therefore, the petitioner's application has not been considered.

3. However, the learned counsel for the petitioner has disputed the same that the petitioner Company has paid the required fee and has also enclosed the required documents, including the Solvency Certificate and GST Certificate.



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4. This Court has considered the rival submissions and perused the materials available on record.

5. The petitioner Company claims that they have applied to register its Company as a Contractor with the respondent Panchayat and submitted an application dated 31.07.2023 along with the required documents and required fee. However, the same has been disputed by the learned Special Government Pleader appearing for the respondent Panchayat that the petitioner has not paid the required registration fee.

6. In view of the same, this writ petition is disposed of with a direction to the respondents to take a decision on the petitioner's application dated 31.07.2023, after providing an opportunity to the petitioner to pay the necessary registration fee and produce the relevant documents and dispose of the same, within a period of two weeks from the date of receipt of a copy of this order. In the meantime, the petitioner shall submit the necessary documents to the respondents



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through a registered post and pay the required registration fee through a Demand Draft. No costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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5. The President,
Special Grade Town Panchayat,
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