



WEB COPY



W.P.No.37189 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.37189 of 2024
and W.M.P.No.40188 of 2024

TPC INFRA AND GREEN ENERGIES,
Rep. by its Managing Partner, Mr.K.Thirukkumaran
No.1, 1st Cross, IRWO Rail Vihar,
K.K.Nagar,
Tiruchirapalli – 600 021.

... Petitioner

vs.

1.Additional Chief Secretary to Government,
Highways and Minor Ports Department,
Fort St. George, Secretariat,
Chennai – 600 009.

2.The Chief Engineer – Highways
HRS Campus,
76, Sardar Patel Road,
Guindy, Chennai – 600 025

3.The Superintending Engineer (Highways)
Construction and Maintenance,
Tiruppur Circle,
College Road,
Tiruppur – 641 602.

4.The Divisional Engineer (H),
Construction and Maintenance,
Tiruppur Circle,
College Road, Tiruppur – 641 602.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd Respondent to call for the “site inspection certificate” of the Petitioner as envisaged in the Tender Notice No. 19/2024-2025/HDO/Dated 28.10.2024 from the 4th Respondent based on the request for inspection report dated 26.11.2024 submitted by the Petitioner to the 4th Respondent and consequently direct the 3rd Respondent to consider the bid of the Petitioner without insisting on the said “site inspection certificate”.

For Petitioner : Mr.J.V.Niranjan

For Respondents : Mrs.M.Jayanthi
Additional Government Pleader

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The Writ Petition is filed seeking a direction to the 3rd respondent to call for 'Site Inspection Certificate' of the petitioner in respect of Tender Notice No.19/2024-2025/HDO/Dated 28.10.2024 from the 4th respondent based on the Inspection Report dated 26.11.2024 submitted by the petitioner before the 4th respondent and consequently, to direct the 3rd respondent to



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consider the bid of the petitioner without insisting on the said 'Site Inspection Certificate'.

3. The main grievance of the petitioner is that as per the special condition incorporated in the Tender Notice, the petitioner has to inspect the work site and get the Site Inspection Certificate from the 4th respondent and upload the same along with its tender bid. According to the petitioner, the petitioner conducted spot inspection on 25.11.2024 and inspite of the same, the 4th respondent failed to issue Site Inspection Certificate to enable the petitioner to submit its bid within time i.e., 06.12.2024.

4. The learned counsel appearing for the petitioner submits that the petitioner is ready to appear before the 4th respondent for joint inspection.

5. When the writ petition is taken up for hearing, Mrs.M.Jayanthi, learned Additional Government Pleader, who is taking notice for the respondents, on written instructions, would submit that the petitioner has to appear before the 4th respondent on a particular date and time for making joint inspection. After completion of joint field inspection, the Site Inspection



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Certificate will be issued to the petitioner immediately. The said statement made by the learned Additional Government Pleader appearing for the respondents is recorded.

6. In view of the same, the petitioner is directed to appear before the 4th respondent on 05.12.2024 at 10 a.m., for making joint site inspection. The 4th respondent shall complete the joint site inspection and issue Site Inspection Certificate to the petitioner on the very same day (i.e., 05.12.2024) before 4.00 p.m.

7. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

04.12.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm

Note: Issue order copy today.



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To

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S.SOUNTHAR, J.

dm

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