



W.P(MD)No.5048 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5048 of 2024

and

W.M.P.(MD)Nos.4819 & 4821 of 2024

M.Manikandan

... Petitioner

Vs.

1.The Superintending Engineer,
Public Works Department,
Planning and Design Circle,
Chepauk, Chennai-5.

2.The Executive Engineer,
Public Works Department (Electrical),
Trichy,
Trichy District.

3.M/s.RV Electricals,
81, Perianaicken Palayam,
Near to Government School,
Gudalur Koundampalayam,
Coimbatore-641 020.

4.M/s.Ganapathy Electricals,
No.2/209, Ganapathy Illam,
Nangavaram Road,
Perugamani (PO),
Srirangam Taluk, Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorari, to call for the records relating



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to the Tender Proceedings in 41/2023-2024 concluded on 15.02.2024 by the 1st Respondent and quash the same.

For Petitioners : Mr.B.Rajesh Saravanan

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader for R1 & R2

ORDER

Heard both sides.

2. The tender inviting authority issued notification on 29.01.2024 inviting tenders from eligible contractors for carrying out the petition mentioned building works. The last date for submission of the tender was 12.02.2024. The petitioner submitted his tender application in response thereto. However, his application was rejected at the technical scrutiny stage itself. This was because the petitioner failed to upload the Site Visit Certificate. Challenging the rejection of his tender, the present writ petition came to be filed.

3. The learned counsel for the petitioner relied on the order dated 04.03.2024 in W.P.(MD)No.4815 of 2024. I had allowed the writ petition filed by one contractor whose tender application was rejected on the ground that he did not upload the site visit certificate. The learned counsel for the petitioner submitted that the very same approach can be adopted in this case also.



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4. I am not persuaded by the said submission. As rightly pointed out by the learned Additional Government Pleader, the facts are clearly distinguishable in W.P.(MD)No.4815 of 2024. The petitioner had approached the concerned authority. His allegation was that the authority is dragged in extending his cooperation. In that case, the last date for submission was 15.12.2024. The claim of the petitioner therein was that he approached the authority for issuance of site visit certificate on 10.02.2024 itself. But in this case, the representation given by the petitioner is not on those lines. The petitioner has challenged the very incorporation of the condition for submission of the site visit certificate. Since the petitioner has not established that he was ready to comply with the said condition and that the authority did not extend his cooperation, I am not inclined to interfere.

5. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

06.03.2024

Index : Yes / No
Internet : Yes/ No
rmi



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G.R.SWAMINATHAN, J.

rmi

To

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