



W.P(MD)No.24228 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.24228 of 2024

K.M.A.Nizam Muhaideen

... Petitioner

Vs.

1.State of Tamil Nadu,
Highways Department,
Rep. by its Superintending Engineer (Highways),
Construction & Management Circle,
Thoothukudi.

2.The Divisional Engineer (Highways),
Construction and Management Circle,
Quality Control Division,
Thoothukudi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to take necessary steps and to issue Worksite Inspection Certificate so as to enable the petitioner to participate in the tender scheduled to be held on 08.10.2024 conducted by the 1st respondent and consider the petitioner's representation dated 26.09.2024 which is still pending before the 2nd respondent.

For Petitioner : Mr.P.Venkatesan

For Respondents : Mr.D.Gandhiraj,

Special Government Pleader



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ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.It is the case of the petitioner that he is a Class I contractor registered with the 1st respondent and a certificate was issued by the 1st respondent, vide his proceedings dated 09.06.2021 for the works above the value of Rs.75 lakhs and he possesses experience of more than 20 years in the field of civil construction contracts, including Government contracts. While being so, the 1st respondent has floated tender for special repairs to the Government roads in various sub divisions. The tender is scheduled to be held on 08.10.2024, for which, work site inspection certificate is mandatory. Therefore, the petitioner has given a representation dated 26.09.2024 to the 2nd respondent, seeking issuance of such certificate. Since the same has not been considered so far, the petitioner is before this Court.

3.Mr.D.Gandhiraj, learned Special Government Pleader, who took notice for the respondents, has produced a letter of the 2nd respondent dated 07.10.2024, under which, the petitioner was directed to appear before the 2nd respondent with relevant documents to process the application. However, the



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petitioner has not produced any required documents in this regard, therefore, the certificate could not be issued and further, the tender has already been over.

4.The learned counsel appearing for the petitioner is not in a position to dispute this letter addressed to the petitioner.

5.In such view of the matter, as the petitioner himself has not produced the required documents, he cannot seek for a direction, particularly, when the tender was over. Accordingly, this Writ Petition is dismissed. No costs.

16.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

- 1.The Superintending Engineer (Highways),
Construction & Management Circle,
Thoothukudi.
- 2.The Divisional Engineer (Highways),
Construction and Management Circle,
Quality Control Division,
Thoothukudi.



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N.SATHISH KUMAR, J.

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