



W.P.(MD)No.31470 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2024

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THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

W.P(MD)No.31470 of 2024

and

W.M.P(MD)Nos.26349 and 26350 of 2024

Rayar

... Petitioner

VS

**1.The Superintending Engineer,
Public Works Department,
Buildings (C&M) Circle,
Thanjavur.**

**2.The Executive Engineer,
Public Works Department (C&M) Division,
Pudukkottai.**

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to issue the work site visit certificate to participate in Sl.No.6 construction of Additional Building in Government Hospital at Avudaiyarkoil in Pudukkottai District and Sl.No.7 Construction of Additional Building in Government Hospital at Keeranur in Pudukkottai District.



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For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.S.Kameswaran
Government Advocate

ORDER

This Writ Petition has been filed for issuing a Writ of Mandamus to direct the second respondent to issue the work site visit certificate to participate in Sl.No.6 construction of Additional Building in Government Hospital at Avudaiyarkoil in Pudukkottai District and Sl.No.7 Construction of Additional Building in Government Hospital at Keeranur in Pudukkottai District.

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

3.In pursuance of the claim, the writ petitioner contends that he is eligible to participate in the tender process. The tender notice number is 18/2024-2025/SE/Buildings (C&M) Circle/Thanjavur-1. The said tender application was issued and the process of work came to an end and the tender schedule was fixed on 26.12.2024 and the bid will be opened on 27.12.2024.



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4.The contention of the petitioner is that he has sent a letter on 18.12.2024 in person, which has no authority or acknowledgment from the respondents 1 and 2. However, the representation was addressed to the second respondent by way of RPAD on 19.12.2024. However, the writ petitioner had only sent a representation to the respondents without ascertaining the receipt of the same.

5.The learned Government Advocate contends that, on instructions from the second respondent, no such representation was received from the petitioner.

6.The learned counsel for the petitioner contends that he has sent a representation through E-mail to the respondents today (ie., on 20.12.2024).

7.Without going into the merits of the case, the respondents are directed to pass an order if any representation or E-mail is received by evaluating the competence of the contractor as prayed for in the light of the above submissions and the request made by the petitioner on merits.



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8. With the above observations, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

20.12.2024

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

Note: Issue order copy on 20.12.2024.

To

1. The Superintending Engineer,
Public Works Department,
Buildings (C&M) Circle,
Thanjavur.
2. The Executive Engineer,
Public Works Department (C&M) Division,
Pudukkottai.



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N.SENTHILKUMAR, J.

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Order made in
W.P(MD)No.31470 of 2024

20.12.2024