



W.P.No.1275 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 21.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.1275 of 2025 and
WMP No.1528 of 2025

M/s Marbasil Constructions Limited,
rep. by its Managing Partner,
James V.Joseph,
Ayyankolly (Po), Pandalur Taluk,
The Nilgiris.

... Petitioner

Vs.

1. The Principal Secretary to Government,
Department of Municipal Administration & Water Supply
Secretariat, Fort St. George, Chennai.
2. The Director of Municipal Administration,
MRC Nagar, Raja Annamalaipuram,
Chennai.
3. Regional Director of Municipal Administration,
Kumaran Shopping Complex,
Kumaran Nagar, Tiruppur.
4. The Commissioner, Nelliylam Municipality,
Nelliylam, Pandalur, The Nilgiris.
5. M.E.Shanthi
6. M/s.High Land Constructions
Reptd. By its Proprietor Elju Eldo
Gudalur, The Nilgiris

... Respondents



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Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus, directing the first respondent to consider and pass orders in appeal dated 21.09.2024 filed by the petitioner under Section 11 of the Tamilnadu Transparency in Tenders Act, 1998, consequently direct the respondents 2 to 4 to declare the petitioner as the successful bidder in tender notice 2024 MAWS 4231821 bearing bid ID No.991581, tender ref. No.1978/2023/E1 dated 12.02.2024 based on the petitioner's lowest bid rate adhering to the prescribed rules and regulations.

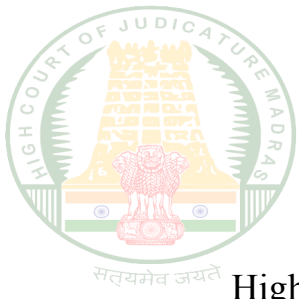
For Petitioner : Mr.Thanga Vadhana Balakrishnan

For Respondents : Mr.T.Seenivasan, Spl.Govt.Pleader
for respondents 1 to 4.

ORDER

This writ petition is filed seeking direction to the first respondent to consider the appeal filed by the petitioner dated 21.09.2024 under Section 11 of the Tamilnadu Transparency in Tenders Act.

2. The petitioner is a Class-I contractor certified by the



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Highways Department. The fourth respondent issued a tender notification calling for application to construct a New Primary Health Center. The petitioner submitted their bid on 21.02.2024 and they came to know that they were the lowest bidder. However, the sixth respondent was declared as successful bidder by the fourth respondent and no order of rejection was uploaded in the official website of the fourth respondent. Therefore, the petitioner submitted a written representation on 18.09.2024, but no action was taken. Hence, the petitioner preferred an appeal before the first respondent on 21.09.2024 under Section 11 of the Tamil nadu Transparency in Tenders Act and the same has not been considered till date. Hence, the petitioner has come before this court.

3. Mr.T.Seenivasan, learned Standing Counsel takes notice for the respondents 1 to 4.

4. The learned counsel for the petitioner, by drawing the attention of this court to Section 11 of the Tamilnadu Transparency in Tenders Act, submitted that any appeal filed under the above said Act



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shall be disposed of within 15 days, however, inspite of lapse of three months, the appeal has not been disposed of by the first respondent.

5. In view of the limited prayer made before this court, without going into the merits of the claim made by the petitioner, this court is inclined to direct the first respondent to consider the appeal filed by the petitioner dated 21.09.2024 and pass final orders on its own merits, within a period of two weeks from the date of receipt of copy of the order.

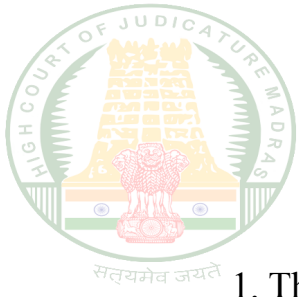
6. With the above direction, this writ petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

21.01.2025

Note: Issue order copy on 22.01.2025

Index:Yes/No
Internet:Yes/No
mst

To



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S.SOUNTHAR, J.

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