



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2025

CORAM

THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

WP NO. 9836 of 2025

AND

WMP NO. 11043 , 11040 & 11039 OF 2025

1.Saravanan
2.Santhosh

Petitioner(s)

Vs

1.The District Collector
Collectorate, Dharmapuri.

2. The Assistant Director Of Municipality
Dharmapuri Region, Dharmapuri

3. The Executive Officer
Pennagaram Town Panchayat, Pennagaram-636 810

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records in connection with the impugned tender notice dated 03.03.2025 in Na.Ka.No.60/2025/A1 quash the same and consequently, direct the third respondent to issue fresh tender notice for all 58 shops and two hotels situated in Pennagaram Bus Terminus, Pennagaram, Dharmapuri District.

For Petitioner(s):

B.Manimaran

For Respondent(s):

Mr.M.Rajendiran AGP For R1 And R2
Mr.Gowthamraj G.A. For R3



ORDER

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This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records in connection with the impugned tender notice dated 03.03.2025 in Na.Ka.No.60/2025/A1 quash the same and consequently, direct the third respondent to issue fresh tender notice for all 58 shops and two hotels situated in Pennagaram Bus Terminus, Pennagaram, Dharmapuri District.

2.The learned counsel for the petitioner would submit that in the impugned tender notice, only 23 shops were mentioned, but two hotels have also been situated in the Pennagaram Bus Terminus. He would further submit that he has taken a Demand Draft and going to participate in the auction scheduled to be conducted on 21.03.2025. He further submitted that the conditions which were stipulated in the auction notification were not mentioned in the auction notice and further contention is that as per Rule 20 of the Tamilnadu Transparency in Tender Rules, 2000, the tender shall ought to be held on 15th day from the tender notice i.e., on 22.03.2025. However, by violating the said Rules, the 3rd respondent has proceeded with the tender process and the same is scheduled on 21.03.2025. The petitioner has taken a Demand Draft for a sum of Rs.6 lakhs, pursuant to the tender notice dated 03.03.2025 for 23 shops.



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3. The learned Government Advocate appearing for the third respondent would submit that the submissions made by the learned counsel for the petitioner with regard to the conditions stipulated in the tender notification are not mentioned in the tender notice and such averment is also not mentioned in the affidavit filed in support of this petition. He further submits that Rule 20 of the Tamilnadu Transparency in Tender Rules, 2000 has to be followed and the date has to be calculated including 07.03.2025 when the impugned tender notice was published and by counting from 07.03.2025 and rightly, the date of auction is scheduled on 21.03.2025, whereas the petitioner excluded from 07.03.2025 and calculated from 08.03.2025 onwards and hence, the contention of the petitioner that auction ought to be held on 22.03.2025 cannot be accepted.

4. As per the contention of the petitioner that 07.03.2025 has to be excluded and the date should be calculated from 08.03.2025 and thereby, the date of auction would be 22.03.2025.

5. In view of the above submission, since the petitioner has already taken Demand Draft and intending to participate in the auction scheduled to be held on 21.03.2025, nothing survives for further adjudication in this Writ Petition.



6. Accordingly, this Writ Petition is disposed of . No costs. Consequently connec



miscellaneous petitions are closed.

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18-03-2025

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To

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J.SATHYA NARAYANA PRASA



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