



W.P.No.12860 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.12860 of 2025
and W.M.P.Nos.14399 & 14401 of 2025

Rathinasami

... Petitioner

Vs.

- 1.The Assistant Director of Town Panchayat,
Office of the Assistant Director of Town
Panchayat, District Collectorate,
Salem District.
- 2.The Executive Officer, Special Grade,
Omalur Town Panchayat,
Salem District.
- 3.Omalur Special Grade Town Panchayat,
Rep. By its President,
Salem District.
- 4.M/s.Vikram Constructions,
Proprietor, S.Dharmalingam,
Kottampetupatty, Omalur,
Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records of the Public Tender Notice in Na.Ka.No.7/2025/A2 dated Page No.1 of 7



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03.01.2025 quash the same in respect of Item Nos.1 & 3 of the schedule
quash the same consequently direct the second respondent to issue a fresh
Public Tender Notice in respect of Item Nos.1 & 3 of the schedule Public
Tender Notice in Na.Ka.No.7/2025/A2 dated 03.01.2025 issued by the
second respondent.

For Petitioner : Mr.K.M.Balaji

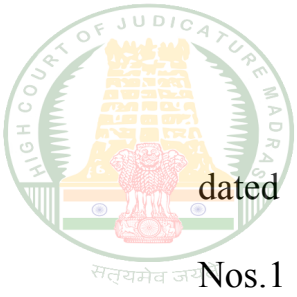
For Respondent 1 : Mr.M.Rajendiran,
Additional Government Pleader

For Respondents 2 & 3 : M/s.S.Indhu Bala,
Additional Government Pleader

ORDER

The petitioner has filed this petition to call for the records of the Public Tender Notice in Na.Ka.No.7/2025/A2 dated 03.01.2025 quash the same in respect of Item Nos.1 & 3 of the schedule quash the same consequently direct the second respondent to issue a fresh Public Tender Notice in respect of Item Nos.1 & 3 of the schedule Public Tender Notice in Na.Ka.No.7/2025/A2 dated 03.01.2025 issued by the second respondent.

2. The case of the petitioner is that the petitioner challenges the tender process initiated by the second respondent through a public auction notice



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dated 03.01.2025 (Na.Ka.No.7/2025/A2), specifically with regard to Item

Nos.1 and 3 relating to toll collection for roadside shops and a goat market.

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Although the petitioner, a qualified bidder and former successful contractor for 2018-2019, had prepared the necessary Demand Drafts and documents to participate in the auction, the office staff of the second respondent refused to accept the same on 22.01.2025, allegedly under instructions from higher authorities. Despite being informed that no bids were received and a re-auction would be held on 04.02.2025, the petitioner later learned that the auction was conducted and the fourth respondent was declared the successful bidder for Item Nos.1 and 3. Challenging the same the petitioner has come forward with the present writ petition.

3. Though many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that it would suffice if this Court issues direction to the first respondent to consider the petitioner's representation dated 13.02.2025 and pass appropriate orders on merits and in accordance with law, within a time frame to be fixed by this Court.

4. Learned Additional Government Pleader appearing for the first



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respondent has no objection for the said order being passed by this Court.

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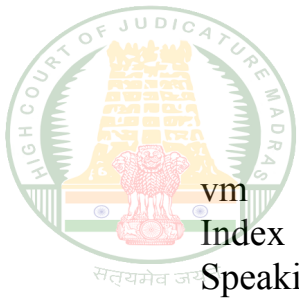
5. Heard the learned counsel on either side and perused the materials placed on record.

6. Considering the limited relief sought for by the learned counsel for the petitioner, this Court without going into the merits of the case directs the first respondent to consider the petitioner's representation dated 13.02.2025, after giving due notice to the petitioner as well as the fourth respondent, affording an opportunity of personal hearing and considering the documents filed by both the parties on merits, in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the aforesaid observation and directions. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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To:

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Office of the Assistant Director of Town
Panchayat, District Collectorate,
Salem District.
- 2.The Executive Officer, Special Grade,
Omalur Town Panchayat,
Salem District.
- 3.The President,
Omalur Special Grade Town Panchayat,
Salem District.



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J.SATHYA NARAYANA PRASAD,J.

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