



WEB COPY



W.P.No.27878 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2025

CORAM :

The Hon'ble MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**W.P.No.27878 of 2024
and W.M.P.No.30404 of 2024**

V.Srikanthan

.. Petitioner

-VS-

1. The Managing Director,
CMWSSB, No.1, Pumping Station Road,
Chintadripet, Chennai 600 002.
2. The General Manager,
CMWSSB, No.1, Pumping Station Road,
Chintadripet, Chennai 600 002.
3. The Purchase Manager,
Materials Department,
CMWSSB, 4th Floor,
No.1, Pumping Station Road,
Chintadripet, Chennai 600 002.
4. The Secretary,
State of Tamil Nadu,
Municipal Administration and Water
Supply Department.

.. Respondents

Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorarified Mandamus to call for the
records of the 3rd respondent in connection with the Tender



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No:MAT/OT/006/2024-2025 dated 09.08.2024 issued by the 3rd respondent, and to quash the same consequently direct the respondents to issue fresh tender in consonance with the Tamilnadu Transparency in Tenders Act 1998.

For Petitioner : Mr.G.Vijayakumar
For Respondents : Mr.Krishna Ravindran
for RR 1 to 3
: Mr.V.Manoharan for r-4

* * * * *

ORDER

This writ petition is filed challenging the Tender No.MAT/OT/006/2024-2025 dated 09.08.2024 issued by the third respondent.

2. When the matter came up for hearing, Mr.Krishna Ravindran, the learned counsel appearing on behalf of respondents 1 to 3 would submit that already a writ petition was considered by this Court with reference to the period that is prescribed in respect of vehicles that are five years old and the writ petition was allowed. But, however, by the order dated 18.02.2025 in W.A.No.3300 of 2025, the appeal was allowed and the original conditions were held to be valid. In view thereof, nothing remains to be decided in this writ petition.



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3. However, the learned counsel appearing for the petitioner submits that in this writ petition, the petitioner primarily challenges two clauses in respect of the tender conditions. The learned counsel would impugn Clause No.20 of the tender conditions, whereby the respondent Board had reserved the right to accept or reject any tender without assigning any reason thereof. Rejecting any tender without assigning reason would be arbitrary and such a clause should be held to be illegal. The learned counsel would further assail the eligibility criteria mentioned in I-(C)(c) of the tender conditions whereby it is mentioned that the existing contractors would be disqualified if they have manhandled the staff of the Metro Water in any filling point. The learned counsel submits that no particulars in respect thereof has been published by the respondent Board.

4. In reply, the learned counsel for the respondent Board would submit that the petitioner's tender was firstly not rejected. For that matter, no person's tender was rejected without assigning any reason. The reason will be assigned and the same will also be furnished, if any person whose tender is rejected, appropriately by the respondent Board. He would further submit that there was nobody in the entire



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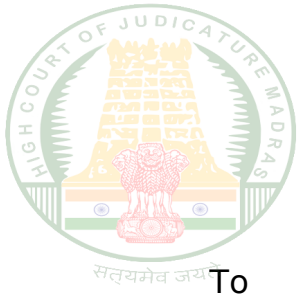
field who has been accused of manhandling the staff and no tender has been rejected on the ground so far.

5. In view thereof, since the process itself is complete and the grievance of the petitioner also does not survive in any manner, recording the submissions that are made on behalf of the Board that reasons will be assigned rejecting the tender and no tender was rejected on the ground of manhandling, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

18.03.2025

Neutral Citation: Yes/No

sra



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D.Bharatha Chakravarthy, J.

(sra)

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