



WP(MD). No.529 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.01.2025

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

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S.Vanniyaraj

... Petitioner

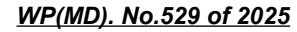
Vs

1. The Additional Chief Secretary,
Finance Department,
Secretariat,
Anna Salai,
Chennai - 600 002..

2. The Chairman Cum Administrative Director,
Tamilnadu Generation and Distribution Corporation Limited (Tangedco),
NBKR Maligai,
No.144, Anna Salai,
Chennai - 600 002..

3. The Managing Director,
TNGECL
No.144, Anna Salai,
Chennai - 600 002..

4. The Chief Engineer,
Non-Conventional Energy Sources,
Tamilnadu Generation and Distribution
Corporation Limited (Tangedco),
No.144, Anna Salai, Chennai - 600 002..





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10. The Authorized Officer,
Chandrasekars Solar Energy Private Limited,
No.117/1, Mahatma Gandhi Street,
Thamaraikulam,
Periyakulam Taluk,
Theni - 625 605..

11. The Authorized Officer,
Fairsun Solar Energy Private Limited,
Flat 401/4th Flr,
Shree Guru
Harikrishna Bhawan Charat Singh Colony,
Ak Rd Antheri,
Mumbai,
Maharashtra S.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondents to conduct an inquiry into the tender irregularities, financial losses, and violations in the tender process concerning the erection of a 400 KV Substation with the following specifications 400 KVSS with erection of 2 x 2 3.5 MVA ICT, 2 x 200 MVA Rover Transformers 400 KV Quad DC Line covering Pavoorchatram, Thenampatti and Kayathar on the basis of the representation of the petitioner dated 16.10.2024.

For Petitioner : Mr.V.Selvakumar
For Respondents : Mr.P.Thilak Kumar for R1
Government Pleader
Mr.S.Deenadayalan for R2 to R8



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ORDER

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(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition for a mandamus to direct the 1st and 2nd respondents to conduct an inquiry into the tender irregularities, financial losses, and violations in the tender process concerning the erection of a 400 KV Substation with the following specifications 400 KVSS with erection of 2 x 2 3.5 MVA ICT, 2 x 200 MVA Rover Transformers 400 KV Quard DC Line covering Pavoorchatram, Thenampatti and Kayathar on the basis of the representation of the petitioner dated 16.10.2024.

3. For conducting enquiry for the tender irregularities, the petitioner has given a representation to the official respondents on 16.10.2024. Since the said representation has not been considered so far, the petitioner is before this Court with this writ petition.



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4. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, there is a duty cast upon them to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 16.10.2024 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and all other persons, who may be interested in the subject matter, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.



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6. With the above direction, the Writ Petition stands disposed of.

No costs.

[M.S.R.,J]

[A.D.M.C.,J]

08.01.2025

NCC : Yes/No

Index : Yes/No

RR

To

1. The Additional Chief Secretary,
Finance Department,
Secretariat,
Anna Salai,
Chennai - 600 002..



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M.S. RAMESH, J.
AND
A.D.MARIA CLETE, J.

RR

ORDER
IN
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Date : 08.01.2025