



W.P.(MD)No.4390 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4390 of 2025

and

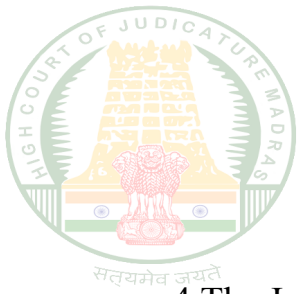
W.M.P.(MD)No.3144 of 2025

K.D.S.J.S.Construrction,
Rep. by its Partner,
M.S.Jenila,
D/o.Murugan,
D.No.31/22, Alamparaivilai Veedu,
Mukkootukkal, Manjalumoodu Post,
Kanyakumari District.

... Petitioner

-VS-

- 1.The Assistant Director,
Town Panchayat,
Nagercoil,
Kanyakumari District.
- 2.The Assistant Executive Engineer,
Town Panchayats, Kanyakumari Zone,
Kanyakumari District.
- 3.The Executive Officer,
Arumanai Grade - I Town Panchayat,
Kanyakumari District.



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4. The Junior Engineer,
Town Panchayats,
Arumanai Grade - I Town Panchayat,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to accept the petitioner's technical bid in the online tender floated by the third respondent in Na.Ka.No. 106/2024/A1, dated 30.01.2025, to open the price bid and award contract to successful bidders by following the Act and Rules of Tender Transparency Act.

For Petitioner	:	Mr.C.Bharathi
For R1 and R2	:	Mr.K.S.Selvaganesan Additional Government Pleader
For R3 and R4	:	Mr.T.Amjadkhan Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the respondents to accept the petitioner's technical bid in the online tender floated by the third respondent in Na.Ka.No.106/2024/A1, dated 30.01.2025, to open the price bid and award contract to successful bidders, by following the Act and Rules of Tender Transparency Act.



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2. With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel for the petitioner submits that the petitioner participated in Sl.No.2 of the work in the tender notification issued by the respondents. However, before opening the technical bids, the respondents 3 and 4 had already selected a contractor for allocating the work. Therefore, the petitioner raised an objection and lodged a complaint with the higher officials regarding the said illegality. Since no action has been taken on the matter, the petitioner has approached this Court with the present Writ Petition.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Government Advocate appearing for the respondents 3 and 4 submit that if the petitioner submits a fresh representation outlining all their grievances, the same will be considered in accordance with the law, within a time frame to be fixed by this Court.

5. The learned Additional Government Pleader and the learned Government



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Advocate have also given an undertaking before this Court that pending the disposal of the petitioner's representation, no further proceedings pursuant to the tender notification will be initiated.

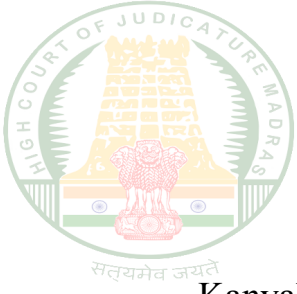
6. Recording the above submissions, this Writ Petition is disposed of with a direction to the petitioner to submit a fresh representation outlining his grievances to the respondents forthwith. Upon receipt of such representation, the respondents shall consider it on merits and pass appropriate orders in accordance with law, within two weeks thereafter. Till the disposal of such representation, no further proceedings pursuant to the tender notification dated 30.01.2025 shall be initiated. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

19.02.2025

To:-

1.The Assistant Director,
Town Panchayat,
Nagercoil,



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Kanyakumari District.

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VIVEK KUMAR SINGH, J.

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