



W.P.(MD)No.5692 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5692 of 2025

V.Rajavalli

... Petitioner

-VS-

1.The District Collector,
District Collector Office,
Ramanathapuram.

2.The Additional District Collector,
Rural Development,
O/o. District Collector,
Ramanathapuram.

3.The Block Development Officer Cum Tender Authority Officer,
R.S.Mangalam Union Office,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents, particularly the third respondent to issue the work orders to the petitioner in respect of the five tenders awarded to her under the Union Public Finance Scheme 2024-2025 held on 11.12.2024 and 12.12.2024 at the third respondent's office, on the basis of the petitioner's representation dated on 28.01.2025 and a consequential direction to the respondents suit follow the Tender Transparency Act and Rules.



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For Petitioner : Mr.M.Iniyavan
For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents, particularly, the third respondent to issue the work orders to the petitioner in respect of the five tenders awarded to her under the Union Public Finance Scheme 2024-2025 held on 11.12.2024 and 12.12.2024 at the third respondent's office, on the basis of petitioner's representation dated on 28.01.2025 and also a consequential direction to the respondents to follow the Tender Transparency Act and Rules.

2. With the consent of both sides, this Writ Petition is disposed of, at the admission stage itself.

3. The petitioner claims to be a third-class registered contractor under the third respondent and has successfully completed previous tender works. The third respondent had stated that if fresh tenders were to be called, they would inform



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the petitioner along with other contractors, who had participated in the previous tenders. However, the third respondent issued a new tender for the Union Public Finance Scheme 2024-2025 for certain works within his jurisdiction, without publishing the tender notification in any widely circulated newspapers. The tender was conducted on 11.12.2024 and 12.12.2024 at the third respondent's office. The petitioner, despite not receiving an invitation, participated in the tender and was awarded five works and having deposited the required amounts, the third respondent has not issued the work order. Hence, the petitioner submitted a representation to the higher officials on 28.01.2025. Since no action has been taken so far, the petitioner has filed the present Writ Petition.

4. Heard both sides.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him 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



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Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 28.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also 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 third respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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