



W.P.(MD)No.8068 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8068 of 2025

and

W.M.P.(MD)Nos.6072 and 6073 of 2025

Krishnamoorthy

... Petitioner

-VS-

1.The District Collector,
Theni District, Theni.

2.The Assistant Director,
Town Panchayat, Collectorate,
Theni.

3.The Executive Officer,
Thevaram Town Panchayat, Uthamapalayam,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned tender notification in Na.Ka.No. 45/2025 dated 07.03.2025 issued by the third respondent and quash the same as illegal and consequently, direct the third respondent to allot 50 percentage of the commercial shops to the SC/ST people, situated at Survey No.918/2, Thevaram Town Panchayat Bus Stand, Thevaram, Uthamapalayam Taluk, Theni District.



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For Petitioner : Mr.A.Arputharaj
For Respondents : Mr.C.Venkatesh Kumar
Special Government Pleader
ORDER

This Writ Petition has been filed seeking to quash the impugned tender notification in Na.Ka.No. 45/2025, dated 07.03.2025, issued by the third respondent and consequently, direct the third respondent to allot 50 percentage of the commercial shops to the SC/ST people, situated at Survey No.918/2, Thevaram Town Panchayat Bus Stand, Thevaram, Uthamapalayam Taluk, Theni District.

2. By consent, the Writ Petition is taken up for final disposal at the admissions stage itself.

3. The petitioner submits that he sent a representation to the respondents 2 and 3 on 03.10.2023, seeking to allocate 50% of the commercial shops to SC/ST individuals. Since 2022, 50% of the commercial shops in Thevaram Town Panchayat Bus Stand have been allotted to SC/ST people. Now, on completion of the construction of new commercial shops, a resolution was passed and tenders were called. The tender date was announced for 24.03.2025, at about 03:30 p.m.

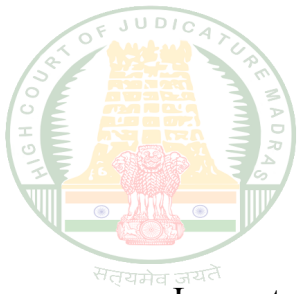


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On 14.03.2025, the third respondent passed a resolution and the next day, on 15.03.2025, a public notice was published. Hence, poor people had very little time to participate in the tender, with only 9 days to prepare. Furthermore, the third respondent's Office Health Inspector has not been appointed by the administration. Hence, the petitioner has filed the present writ petition.

4. The learned Special Government Pleader appearing for the respondents submit that the petitioner's allegations are without merit and should be dismissed. The tender process for the commercial shops in Thevaram Town Panchayat Bus Stand was duly conducted in accordance with the applicable rules and procedures. The date of the tender was announced in a transparent manner and adequate time was provided for all the interested parties to submit their bids. The petitioner's claim that only 9 days were given to participate is baseless, as the tender announcement was made well in advance and all necessary details were published on 15.03.2025, giving sufficient time for potential bidders to prepare.

5. Further, the petitioner's assertion regarding the non-appointment of the Health Inspector is irrelevant to the tender process, as the issue of the Health



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Inspector does not affect the tender process or its fairness. The respondents have followed all relevant guidelines and the process is being conducted in good faith. Further, there is no failure or discrimination in the allocation process.

6. Heard both sides.

7. Considering the above said submissions, this Court is of the view that the prayer of the petitioner is vague and misconceived. The tender process has been conducted in a fair and transparent manner. The petitioner's claim of insufficient time to participate, is found to be without merit, as the notice was issued well in advance and in compliance with the applicable rules. If the petitioner is interested, he may still participate in the tender process on 24.03.2025 (today) on the same terms as those applicable to other bidders and there is no legal basis to halt or delay the tender at this stage. The prayer of the petitioner for staying the tender process, is therefore rejected. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
smn2

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VIVEK KUMAR SINGH, J.

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