

W.P.(MD).No.18476 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.18476 of 2025

and

W.M.P(MD) Nos.14175 and 14177 of 2025

Yathra Trust represented by its
Managing Trustee Mr.K.Sethurathinam,
S/o.G.Karuppan,
7/53, Pottikulam,
Ammayanaickanur Post- 624 201,
Nilakkottai Taluk,
Dindigul District.

... Petitioner

Vs.

- 1.The Principal Secretary,
Municipal Administration,
Urban and Water Supply Department,
Secretariat,
Chennai 600 009.
- 2.The District Collector,
District Collectorate Office,
Madurai 625 020.
- 3.The Commissioner,
Madurai Corporation,
Office of Madurai Corporation,
Madurai 625 020.
- 4.M/s.Rotary Madurai Midtown Community Trust,
No.16, Voc 4th Street,
Arul Nagar,
Bye Pass Road, Madurai 325 010.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in impugned order in Na.Ka.No.H1/000228/2024, dated 05.11.2024 and quash the same as illegal insofar and consequently directing the 3rd Respondent to issue fresh tender notification and ensure that the process is conducted transparently to all applicants.

For Petitioner : Mr.Mohamed Saleem.S.M

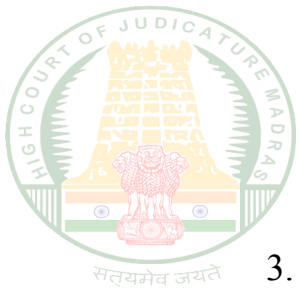
For R1 and R2 : Mr.K.R.Badurus Zaman,
Government Advocate.

For R3 : Mr.S.Devasena, Standing Counsel.

ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and the learned Government Advocate appears for the respondent Nos.1 and 2 and the learned standing counsel appears for the third respondent.

2. The petitioner has responded with a request of proposal for comprehensive operation and maintenance of four numbers of LPG crematorium (Unit I, II, III, IV) at Thathaneri, Madurai City Corporation.



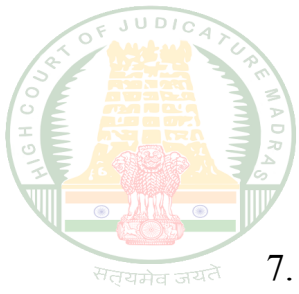
W.P.(MD).No.18476 of 2025

3. It is a specific case of the petitioner that the petitioner had offered Rs.2,300/- for a dead body, whereas, the private respondent No.4 had offered Rs.3,450/-. It is submitted that the respondent No.3 have however awarded the contract to the fourth respondent contrary to Section 10(6) of Tamil Nadu Transparency in Tenders Act 1998.

4. That apart, it is submitted that the fourth respondent was not even present when the bid was opened. Despite the same, the contract has been awarded to the fourth respondent. That apart, there has been several deviations noticed in awarding of the contract to the fourth respondent.

5. Despite the petitioner filing an appeal under Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998 before the Appellate Authority on 14.06.2025, neither the appeal has been considered nor the amount, which was paid as E.M.D for a sum of Rs.1,00,000/- has been refunded back.

6. The learned Standing Counsel for the third respondent would submit that although a cheque has been drawn in favour of the petitioner, the petitioner is not coming forward to receive the same.



W.P.(MD).No.18476 of 2025

7. The learned Government Advocate for the respondent Nos.1 and 2 would submit that the appeal filed by the petitioner, dated 14.06.2025 will be disposed of as expeditiously as possible.

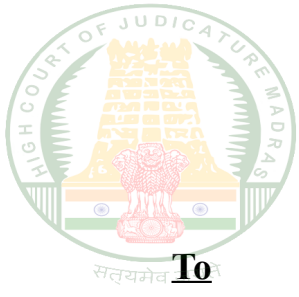
8. Recording the above submissions, the respondent Nos.1 to 3 are directed to dispose the appeal, filed by the petitioner on 14.06.2025 on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order. In the meantime, respondents 1 to 3 are directed to refund the E.M.D. amount of Rs.1,00,000/-, which was deposited by the petitioner, by sending a Demand Draft through RPAD.

9. With the above said directions, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

08.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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W.P.(MD).No.18476 of 2025

To

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C.SARAVANAN, J.

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