



W.P(MD)Nos.19381 and 21137 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.19381 and 21137 of 2021

and

W.M.P.(MD)Nos.3186 and 3189 of 2021

Balasubramanian

... Petitioner in both W.Ps

Vs.

1.The Managing Director,
Tamil Nadu Water and Drainage Board,
Chepauk, Chennai.

2.The Chief Engineer,
Tamil Nadu Water and Drainage Board,
Madurai.

3.The Superintending Engineer,
Tamil Nadu Water and Drainage Board,
Outsourcing and Maintenance,
Door No.88, Thondi Main Road,
Sivagangai – 630 561.

4.The Executive Engineer,
Tamil Nadu Water and Drainage Board,
Outsourcing and Maintenance,
Door No.88, Thondi Main Road,
Sivagangai – 630 561.

5.M.Ayian,
The Executive Engineer,
Tamil Nadu Water and Drainage Board,



W.P(MD)Nos.19381 and 21137 of 2021

Rural Water Supplies Division,
Pudukkottai.

... Respondents in both W.Ps

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Prayer in W.P.(MD)No.19381 of 2021 : 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 relating to the impugned order dated 12.08.2021 in Lr.No.F.Anukkanendal CWSS/O & M / JDO/RWS/SVG/2021-3 passed by the 4th respondent and quash the same and consequentially, direct the 4th respondent to award the work of outsourcing of operation and maintenance of Combined Water Supply Scheme to Anukkanendal and 7 habitations in Kannankudi Union mentioned in Serial No.20 of the tender notification to the petitioner.

Prayer in W.P.(MD)No.21137 of 2021 : 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 relating to the impugned order dated 09.08.2021 in Lr.No.F.O & M – Pack V RCWS / SVG MPTY / JDO/ RWS / SVG/2021-1 respectively passed by the 4th respondent and quash the same and consequentially, direct the 4th respondent to award the work of outsourcing of operation and maintenance of Sivagangai Municipality and Kalayarkoil Sump in Kalayarkoil Union including transmission main, Branch main and feeder mains under Annual Maintenance of Package – V of CWSS to the petitioner.

(In both W.Ps)

For Petitioner : Mr.T.R.Jeyapalam

For Respondents : Mr.B.Vijaykarthikeyan,
Standing Counsel.



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COMMON ORDER

Heard the learned counsel on either side.

2.The period in respect of which the writ petitions came to be filed has since expired. Therefore, the writ petitions deserve to be closed as infructuous. However, in view of the stand taken by the respondents, the petitioner may suffer some civil consequences. I therefore indicated to the learned standing counsel that the rejection passed against the writ petitioner shall not be taken into account and that the outcome the impugned tender process will not cast any stigma on the writ petitioner. There is no objection for the same. Accordingly, the writ petitions are disposed of by holding that the stand of the respondents will not amount to casting any stigma on the writ petitioner or affect his rights as a registered contractor in any manner. No costs. Consequently, connected miscellaneous petitions are closed.

29.07.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

ias

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