

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

WP(C).No. 4571 of 2015 (V)

PETITIONER:

**SHAIJU P.M., AGED 41 YEARS
S/O. MATHEW, RESIDING AT PANAMTHOTTATHIL HOUSE
KEEZHPALLY P.O., KANNUR DISTRICT.**

BY ADV. SRI.E.A.BIJUMON

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY
MINISTRY OF ST DEVELOPMENT, SECRETARIAT
THIRUVANANTHAPURAM-695 001.**
- 2. ARALAM FARMING CORPORATION (KERALA) LIMITED
REPRESENTED BY ITS CHAIRMAN, SHRI.BALAKRISHNAN IAS
DISTRICT COLLECTOR, ARALAM FARM P.O., PARAVOOR
KANNUR DISTRICT-670 511.**
- 3. MR. T.K.VISWANATHAN NAIR
MANAGING DIRECTOR
ARALAM FARMING CORPORATION (KERALA)LIMITED
ARALAM FARM P.O., PARAVOOR, KANNUR DISTRICT-670 511.**

**R1 BY GOVERNMENT PLEADER SMT.ANITHA RAVEENDRAN
R3 BY ADV. SRI.R.RAMADAS**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

STK

WP(C).No. 4571 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS:

P1 : COPY OF THE AUCTION NOTICE DTD.22.1.2015.
P2(A) AND P2(B): COPY OF THE RECEIPTS DTD.28.1.2015.
P3 : COPY OF THE INTERIM ORDER DTD.30.1.2015 IN WPC
NO.3171/2015.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE

STK

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 4571 of 2015

Dated this the 25th day of February, 2015

J U D G M E N T

The petitioner is before this Court aggrieved of the course of action pursued by the respondent Corporation in finalization of the tender proceedings notified as per Ext.P1. According to the petitioner, no effective opportunity was given to all concerned including the petitioner to participate in the bid. It is stated that the auction was to be conducted on 29.01.2015, but the last date for getting the application to participate in the auction of timber was stipulated as on 27.01.2015, on which day a 'Hartal' was declared by some political party, by virtue of which, the petitioner found it difficult to obtain the necessary form. In turn, the petitioner could not submit the bid and as such, he was virtually prevented from participating in the bid. This made the petitioner to approach this Court by filing the writ petition, seeking for an opportunity to participate in the bid.

2. The learned counsel appearing on behalf of the respondent Corporation points out that, the version of the

petitioner is throughly wrong and misconceived and that the petitioner has not taken the minimum pain to go through the full text of Ext.P1. With reference to the contents of Ext.P1, the learned counsel points out that, the sale of the tender forms was scheduled to be held till and including on 28.01.2015 and time was stipulated up to 3.30 p.m. Even according to the petitioner, the 'Hartal' was to be there only on '27.01.2015', and as such, nothing prevented from the petitioner from purchasing/obtaining the form on the next day ie, on 28.01.2015.

3. After hearing both the sides, this Court finds that there is absolutely no merit or bonafides in the said writ petition.

Interference is declined and the writ petition stands dismissed accordingly.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.