

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

WP(C) .No. 6209 of 2015 (A)

PETITIONER:

M/S.SREEDHARA PANICKER PRABHAKARAN,
INDIAN OIL DEALER, KARAMANA P.O.
THIRUVANANTHAPURAM DISTRICT-695 002
REPRESENTED BY ITS MANAGING PARTNER S.PRABHAKARAN.

BY ADVS.SRI.JOHNSON GOMEZ
SRI.S.BIJU (KIZHAKKANELA)

RESPONDENTS:

1. THE INDIAN OIL CORPORATION INDIA LTD.,
REPRESENTED BY ITS GENERAL MANAGER
KERALA STATE OFFICE PANAMPILLY AVENUE
PANAMPILLY NAGAR P.O., COCHIN-682 036.
2. THE DEPUTY GENERAL MANAGER(LPG),
(TENDER INVITING AUTHORITY)
INDIAN OIL CORPORATION LTD., KERALA STATE OFFICE
PANAMPILLAY AVENUE, PANAMPILLY NAGAR P.O.
COCHIN-682 036.
3. THE CHIEF MANAGER(LPG-O),
INDIAN OIL CORPORATION LTD., KERALA STATE OFFICE
PANAMPILLY AVENUE, PANAMPILLY NAGAR P.O.
COCHIN-682 036.
4. THE TENDER COMMITTEE REPRESENTED BY ITS CHAIRMAN,
INDIAN OIL CORPORATION LTD.
TENDER NO.KESO/LPG-O/PT-10/2014-15
KERALA STATE OFFICE, PANAMPILLY AVENUE
PANAMPILLY NAGAR P.O., COCHIN-682 036.

R BY SRI.M.GOPIKRISHNAN NAMBIAR
SRI.JOSEPH GEORGE, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
26-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: A TRUE COPY OF THE RELEVANT PAGES OF TENDER FORM IN TENDER NO.KESO/LPG-O/PT-10/2014-15.

EXT.P2: A TRUE COPY OF THE BID SUBMISSION CONFIRMATION WITH BID ID 102258 DATED 01.02.2015 ISSUED BY THE 1ST RESPONDENT.

EXT.P3: A TRUE COPY OF THE SCREEN SHOTS OF THE RESPONDENT'S WEBSITE FOR UPLOADING E-TENDER.

EXT.P4: A TRUE COPY OF THE PARTNERSHIP DEED DATED 01.09.2012.

EXT.P5: A TRUE COPY OF THE REPRESENTATION DATED 22.02.2015 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P6: A TRUE COPY OF THE REPRESENTATION DATED 22.02.2015 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

EXT.P7: A TRUE COPY OF THE REPRESENTATION DATED 22.02.2015 SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.

EXT.P8: TRUE PHOTOCOPY OF THE POSTAL RECEIPTS EVIDENCING SUBMISSION OF EXTS.P5, P6 AND P7.

RESPONDENT(S) ' EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

SCL.

P.R. RAMACHANDRA MENON, J.

W.P.(C) No. 6209 of 2015

Dated this the 26th day of February, 2015.

JUDGMENT

The petitioner has approached this Court with the following prayers:

i) Issue a writ of mandamus or any appropriate writ order or direction commanding the respondents to consider the e-Tender, as evidenced by Ext.P2, submitted by the petitioner on the basis of Ext.P1 and award tender to the petitioner, if found successful in the price bid.

ii) Issue a writ of mandamus or any other appropriate writ, order or direction commanding the respondents 2, 3 and 4 to consider and pass orders on Ext.P5 to P7, within a time limit to be fixed by this Hon'ble Court.

2. The learned counsel for the petitioner submits that the grievance of the petitioner has also been projected by way of Exts.P5 to P7 representations, which are pending consideration before respondents 2 to 4 and the prayer is only to cause the same to be considered and disposed of within a reasonable time.

3. Heard the learned Standing Counsel for the respondents as well.

4. After hearing both the sides, the writ petition is disposed of, directing the concerned respondent to consider and pass appropriate orders on Exts.P5 to P7 in accordance with law, which shall be finalized at the earliest, at any rate, within 'two weeks' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

Sd/-
P.R. RAMACHANDRA MENON
JUDGE

Scl.