

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2015

Coram:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No. 7675 of 2015

And

M.P.Nos. 1 and 2 of 2015

Mr.P.Amarnath

: Petitioner

-Vs-

1. The Managing Director
Tamil Nadu Civil Supplies Corporation
Head Office: No.12, Thambusamy Road
Kilpauk, Chennai 600 010.
2. The Principal Secretary to Government
Co-operation, Food & Consumer Protection
Department,
Fort Saint George,
Chennai - 600 009.
3. The Principal Secretary to Government
Finance Department
Fort Saint George,
Chennai 600 009.
4. The Principal Secretary/
Commissioner of Civil Supplies &
Consumer Protection Department
Chepauk, Chennai 600 005.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the first respondent, pertaining to the condition imposed in sub-clause (3) of Clause 3 of the Tender Notice dated 20.01.2015, issued by the first respondent for supply of 64,000 MT of Canadian Yellow Lentil and 24,000 MT Urid Dhall, modifying the earlier pre-qualification conditions, which contemplates that a tenderer's average annual turnover should not be less than Rs.3 Crore into The bidder should have executed at least on contract of value not less than Rs.60 crore related to supply of pulses/food items to Government Departments/Government organizations in the last three financial years and quash the same and consequentially direct the first respondent to re-issue the tender with earlier pre-qualification conditions.

For Petitioner : Mr.N.Ramesh

For Respondents : Mr.A.L.Somayagi
Advocate General
Assisted by
Mr.V.Jaya Prakash Narayanan
Special Government Pleader

O R D E R

The petitioner seeks for issuance of a Writ of Certiorarified Mandamus calling for the records of the first respondent, pertaining to the condition imposed in sub-clause (3) of Clause 3 of the Tender Notice dated 20.01.2015, issued by the first respondent for supply of 64,000 MT of Canadian Yellow Lentil and 24,000 MT Urid Dhall, modifying the earlier pre-qualification conditions, which contemplates that a tenderer's average annual turnover should not be less than Rs.60 crore related to supply of pulses/food items to Government Departments/Government organizations in the last three financial years and quash the same and consequentially direct the first respondent to re-issue the tender with earlier pre-qualification conditions.

2. At the time when the Writ Petition was hearing on admission on 18.03.2015, it was pointed out by the learned Advocate General that already tender has been awarded in favour of two parties. Therefore, the learned counsel appearing for the petitioner sought time to suitably amend the prayer in the Writ Petition.

3. Now the learned counsel appearing for the petitioner seeks permission to withdrawn the Writ Petition and filed a fresh Writ Petition after impleading the necessary parties and he has also made an endorsement to that effect.

4. In the light of the above, the Writ Petition stands dismissed as withdrawn. Consequently, connected Miscellaneous Petitions are closed. Liberty sought for by the petitioner is granted. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Managing Director
Tamil Nadu Civil Supplies Corporation
Head Office: No.12, Thambusamy Road
Kilpauk, Chennai 600 010.

2. The Principal Secretary to Government
Co-operation, Food & Consumer Protection
Department,
Fort Saint George,
Chennai - 600 009.
3. The Principal Secretary to Government
Finance Department
Fort Saint George,
Chennai 600 009.
4. The Principal Secretary/
Commissioner of Civil Supplies &
Consumer Protection Department
Chepauk, Chennai 600 005.

+1 cc to Government Pleader, SR.17317.

vgi(co)
krd 8/4

W.P.No. 7675 of 2015



WEB COPY