

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2016

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.31282 of 2014

and

M.P.No.1 of 2014

M.James

... Petitioner

Vs.

1.The President/Deputy Registrar
Of Co-op. Societies (PDS),
Lorry Contract Tender Committee,
Coimbatore, Coimbatore District.

2.The Managing Director/
Deputy Registrar of Coop. Societies,
Pollachi Consumer Coop.
Wholesale Stores Ltd.,
No.82, Palladam Road,
Pollachi 642 002.

3.Mahendran, Managing Director,
Deputy Registrar of Co-op. Societies,
Pollachi Consumer Co-op. Wholesale Stores Ltd.,
NO.82, Palladam Road, Pollachi 642 002.
Coimbatore District.

4.Sethuraman, Chairman,
Usilampatti Co-Op, Consumer
Marketing Society, Usilampatti,
Theni District.

... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the respondents 1 and 2 to cancel the tender conducted on 24.11.2014 in respect of the transport contract and consequently direct the respondents to furnish tender schedules, whoever paid the tender cost through Demand Draft and conduct the fresh tender for transport in so far relates to the second respondent store for the year 2014-15.

For Petitioner : Mr.P.Rammohan
For Respondents : Mr.L.P.Shanmugasundaram,
Nos.1 & 2 Special Government Pleader
For Respondent-3 :Mr.P.Mani
For Respondent-4 :Mr.G.Ethirajulu

O R D E R

The petitioner has come forward to file this writ petition to cancel the tender conducted on 24.11.2015 in respect of the transport contract with consequential prayer to furnish the tender schedule.

2.Heard the learned counsel appearing for the parties.

3.The grievance of the petitioner is that purposely he was not given tender schedule so as to enable him to participate in the tender. This is the disputed question of fact. This court cannot go into the same and furthermore, the period of tender is over.

4.The learned Special Government Pleader appearing for the respondents 1 and 2 submitted that the present successful tenderers have got extended the tender till ***28/02/2016**

5.Considering the above, this Court is not inclined to allow the writ petition. Suffice it to state that tender schedule should be given to the petitioner by the respondents 1 and 2 for the tender schedule to be conducted for the year 2016-17. As stated by the learned Special Government Pleader, the petitioner can also download the same from the website.

6.With the above observation, this writ petition is closed. Consequently, connected Miscellaneous Petition is also closed. No costs.

7.It is made clear that the order passed, would not stand in the way of the petitioner to work out his remedy for seeking damages, if so advised.

Sd/-
Assistant Registrar(V)
Dated :8/2/2016

*Amened as per order dated
19/02/2016 in W.P.No.31282 of 2014

Sd/-
Assistant Registrar(CS-VII)
Dated:19/2/16

//True Copy//

Sub Assistant Registrar

DP

To

1.The President/Deputy Registrar
Of Co-op. Societies (PDS),
Lorry Contract Tender Committee,
Coimbatore, Coimbatore District.

To be substituted the
order already
despatched on 11/2/2016

2.The Managing Director/
Deputy Registrar of Coop. Societies,
Pollachi Consumer Coop.
Wholesale Stores Ltd.,
No.82, Palladam Road,
Pollachi 642 002.

+ 1 cc to Mr.L.P. Shanmughasundaram, Advocate Sr.*10628
+ 1 cc to Mr.P. Rammohan, Advocate SR.5386
+ 1 cc to Mr.G. Ethirajulu, Advocate Sr.5764
+ 1 cc to Government Pleader Sr.5500

W.P.No.31282 of 2014
and
M.P.No.1 of 2014

LRS (CO)
EU 09.02.16
srg 19/2/2016