

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.2180 of 2014
and
M.P.No.1 of 2014

People Rights Protection Organisation,
rep. by its District President J.Kumar,
No.41/28, Ranjana Complex,
Raja Rao Street,
Tiruppur - 641 601. ... Petitioner

-vs-

- 1.State, rep. by
The Principal Secretary,
Dept. of Textiles and Handlooms and
Khadi and Handicrafts,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.M/s.Tamil Nadu Khadi and Village Industries Board,
rep. by its Chief Executive Officer,
Kuralagam, Chennai-600 104.
- 3.The Zonal Deputy Director,
Tamil Nadu Khadi and Village Industries Board,
Thiruppur - 3.
- 4.The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Thiruppur - 3.
- 5.The Chief Auditor,
Internal Audit and Statutory Board,
Audit Department,
No.807, Sengalvarayan Maligai,
7th Floor, Anna Salai,
Chennai-600 002. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents authorities to follow the provisions of the Transparency of Tenders Act, 1998 by purchasing materials through public tender for the fourth respondent Tamil Nadu Khadi and Village Industries Board at Tiruppur in all future transactions.

For Petitioner : Mr.P.T.Perumal

For Respondents : Mr.S.K.Bose for R1 to R4
Mr.V.R.Kamalanathan
Addl. Government Pleader
for R5

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

This writ petition has been filed by the petitioner seeking a direction against respondent No.2 to follow the provisions of the Transparency of Tenders Act, 1998. There is no other prayer. This is like saying follow the law!

2. We find that the prayer is general in character, though the occasion to approach the Court is stated to be some internal audit objection qua respondent No.2.

3. In the counter-affidavit filed today in Court by respondent No.2, it has been explained by respondent No.2 that they got the goods on consignment basis from the Institutions approved by the Khadi and Village Industries Commission, Mumbai for keeping sufficient stock. The production is made as per the norms and the cost fixed by the Commission. Since the approved rates are as per the cost chart, there is no right to fix any extra price for their products and the act is stated to not to supply as the goods are supplied on consignment basis and the payments are not made in advance or against the supply. The Institutions from whom the supply has been procured are registered under the Khadi and Village Industries Commission, Mumbai.

4. It is also averred that an enquiry was held on the contents of the representation of the petitioner and despite being called, the petitioner never attended the enquiry. As far as the objections are concerned, it is stated that a response has been sent to the same and the objections have been dropped.

5. In view of the aforesaid stand, we find no merit in the writ petition and the same is dismissed. No costs. Consequently, M.P.No.1 of 2014 is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Principal Secretary,
Dept. of Textiles and Handlooms and Khadi and Handicrafts,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai-600 104.
- 3.The Zonal Deputy Director,
Tamil Nadu Khadi and Village Industries Board,
Thiruppur - 3.
- 4.The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Thiruppur - 3.
- 5.The Chief Auditor,
Internal Audit and Statutory Board,
Audit Department,
No.807, Sengalvarayan Maligai,
7th Floor, Anna Salai,
Chennai-600 002.

+1 cc to M/s.Perumal Associates,sr.35625

+1 cc to mr.S.K.Bose, Advocate,sr.35357.

gj(co)
krd 21/7

W.P.No.2180 of 2014

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