

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2016

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Mr. JUSTICE M.VENUGOPAL

W.A.No.234 of 2016
and
C.M.P.No.3703 of 2016

M/s.Malu Wires rep. by its Partner
Nand Kishore Malu ... Appellant

Vs.

- 1.The Chairman and Managing Director,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
TANGEDCO, 10th Floor, NPKKR Maaligai,
No.144, Anna Salai, Chennai - 2.
- 2.The Chief Engineer (Distribution).
Chennai Region/South,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
TANGEDCO, 5 A Block, 1st Floor,
No.802, Anna Salai, Chennai - 2. ... Respondents

Appeal filed under Clause 15 of the Letter of Patents Act
against the order dated 18.02.2016 in W.P.No.6003 of 2016.

W.P.No.6003 of 2016:- Writ petition filed under 226 of the
constitution of India for a issuance of a writ of mandamus
Directing the Respondents to open and consider the petitioners
Price Bid [i.e. the Envelope-B] for the finalisation of the
Respondents Tender Specification No. CED / CSR E.559/ 2015-16
opened on 29/01/2016 for the supply of 4 & 5 mm GI Wire.

For Appellant .. Mr.Amalraj Penikilapatti

For Respondents .. Mr.S.K.Rameshwar

JUDGMENT

(delivered by SATISH K.AGNIHOTRI, J.)

With the consent of the learned counsel appearing for the parties, the writ appeal is taken up for final disposal.

2.The instant writ appeal is directed against the order dated 18 February 2016 in W.P.No.6003 of 2016, whereby the learned single Judge dismissed the writ petition on the ground that the writ petitioner has not challenged the tender condition.

3.Learned counsel appearing for the appellant submits that with the passage of time, the writ petition has become infructuous, however, the question of law involved herein about the competence of the appellant may be considered in an appropriate case, keeping the question of law as open.

4.In view of the foregoing, we are not inclined to adjudicate the dispute at this stage. Accordingly, the writ appeal is dismissed as infructuous, keeping the question of law open. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1.The Chairman and Managing Director,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
TANGEDCO, 10th Floor, NPKKR Maaligai,
No.144, Anna Salai, Chennai - 2.

2.The Chief Engineer (Distribution).
Chennai Region/South,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
TANGEDCO, 5 A Block, 1st Floor,
No.802, Anna Salai, Chennai - 2.

1 cc to Mr.Amalraj Penikilapatti, Advocate, Sr.16678

W.A.No.234 of 2016

LRS (CO)

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