

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 25.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.7019 of 2016

Horizon Services

A Partnership Firm rep. by its
Partner, G.Hemavathy ... Petitioner

Versus

The Chief Engineer
Civil Design (TANGEDCO)
Tamil Nadu General and
Distribution Corporation
3rd Floor, NPKRR Maaligai
144, Anna Salai,
Chennai 600 002. ... Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondent to issue work order to the petitioner firm in respect of the Tender having ID No.125528, under reference No.NIT No. 07 2015 16, within a resonable time.

For Petitioner : Mr.N.Anand Venkatesh

For Respondents : Mr.S.K.Raameshuwar
Standing Counsel

O R D E R

Heard Mr.N.Anand Venkatesh, learned counsel appearing for the petitioner and Mr.S.K.Raameshuwar, learned Standing Counsel, accepting notice on behalf of respondent. By consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2.The petitioner, Partnership Firm participated in the Tender notified by the respondent TANGEDCO for export of Dry Fly Ash from North Chennai Thermal Power Station, Stage-II at Vallur in Tiruvallur District. The petitioner submitted their tender as per the date fixed in the Tender Document and it was opened on 22.12.2015.

3. In the affidavit filed in support of the Writ Petition, the petitioner would state that their tender was found acceptable and signatures were obtained from them in the Tender Register and they were informed that necessary work order would be issued for lifting 24,000 metric tons per annum of Dry Fly Ash very shortly. This is said to have been done on 22.12.2015 at about 2.30 p.m. Now, almost two months have elapsed, the petitioner has not been informed as to whether contract has been awarded to them or otherwise. Therefore, the petitioner Firm submitted representation to the respondent on 15.02.2016, which is shown to have been received by the Office of the respondent on 17.2.2016, vide postal acknowledgement card.

4. In the light of the above, it is proper for the respondent to intimate the petitioner as to the fate of their tender and in this regard, the petitioner is entitled to receive a written communication, since the petitioner's Earned Money Deposit of Rs.1,00,000/- (Rupees one lakh only) is still retained by the respondent.

5. In the light of the above, without going into the merits of the allegations made in the representation, there will be a direction to the respondent to communicate in writing the exact state of affairs to the petitioner, by considering their representation dated 15.02.2016, within a period of ten days from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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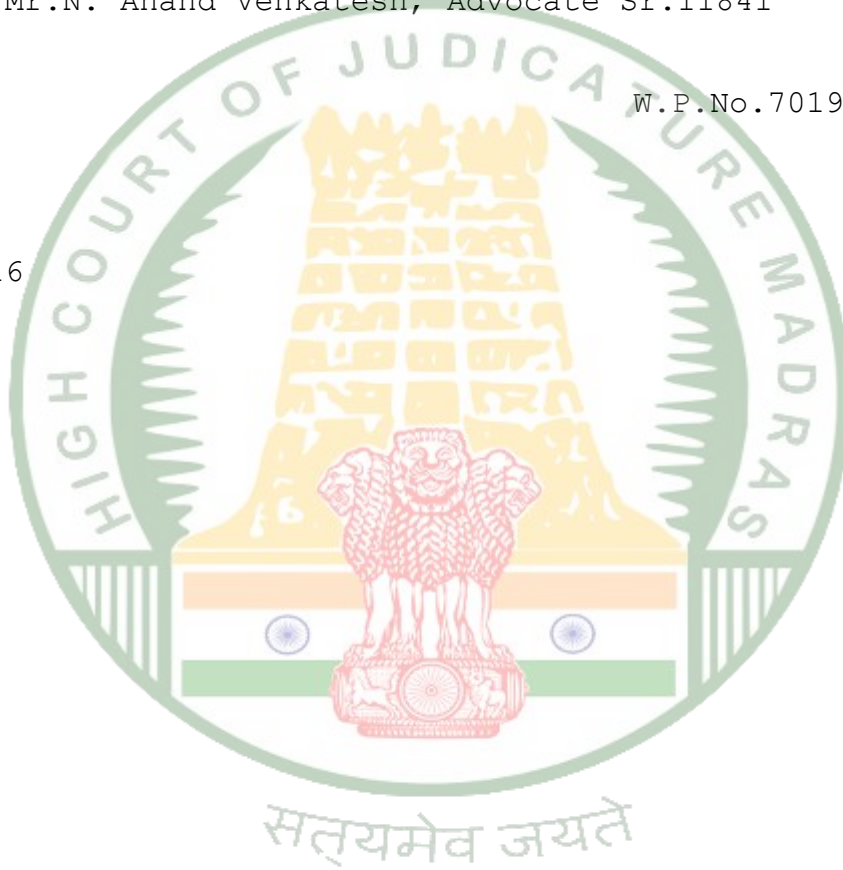
To

The Chief Engineer
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Chennai 600 002.

+ 1 cc to Mr.S.K. Raameshuwar, Advocate Sr.12367
+ 1 cc to Mr.N. Anand Venkatesh, Advocate Sr.11841

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