

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.7640 of 2016

And

W.M.P.Nos.6869 and 6870 of 2016

M.James

... Petitioner

Vs.

1. The President/ Deputy Registrar
of Coop. Societies (PDS),
Lorry Contract Tender Committee,
Coimbatore, Coimbatore District.

2. The Deputy Registrar/ Lorry Tender Contract Committee
Pollachi Consumer Coop. Wholesale Stores Ltd.,
No.82, Palladam Road,
Pollachi,
Coimbatore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the second respondent's Tender Notification for the year 2016-17 dated 22.02.2016 published in Maalai Malar News Paper dated 23.02.2016 for the Contract of Short Term Hiring of Lorries for the year 2016-17 and quash the same as illegal, arbitrary and against Sec.20 of the Tamilnadu Transparency of Tender Rules, 2000.

For Petitioner : Mr.E.Pragasam

For Respondents : Mr.L.P.Shanmugha Sundaram

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Certiorari to call for the records of the second respondent's Tender Notification for the year 2016-17 dated 22.02.2016 published in the Maalai Malar Newspaper, dated 23.02.2016 for the Contract of Short Term Hiring of Lorries for the year 2016-17 and quash the same as illegal, arbitrary and against Rule 20 of the Tamil Nadu Transparency In Tenders Rules, 2000.

3.The petitioner is the Transport Contractor in transporting essential articles from one place to another place and he was awarded transport contract with the respondent wholesale stores. Now, the second respondent has published the Tender Notification for the year 2016-17 dated 22.02.2016 in Maalai Malar Newspaper, dated 23.02.2016 giving only eight days time for submitting the tender form i.e., on 02.03.2016 at 4 p.m. Since the said notification published by the second respondent is against Rule 20 of the Tamil Nadu Transparency In Tenders Rules, 2000, the petitioner has come forward with this petition.

4.The main contention of the learned counsel appearing for the petitioner is that as per Rule 20 of the Tamil Nadu Transparency In Tenders Rules, 2000, the Tender Inviting Authority shall ensure that adequate time is provided for the submission of Tenders and a minimum time is allowed between the date of publication of the Notice Inviting Tenders in the relevant Tender Bulletin or in the Newspapers, which is later and the last date for submission of Tenders, that is to say, for Tenders upto Rupees Two Crores in value, 15 days time should be given. But, in the Tender Notification for the year 2016-17 dated 22.02.2016 published in Maalai Malar Newspaper, dated 23.02.2016, only eight days time has been given and it is in violation of Rule 20 of the Tamil Nadu Transparency In Tenders Rules, 2000.

5.Today, when the matter is taken up for consideration, the learned counsel appearing for the respondents submitted that the respondents would publish fresh Tender Notification as per Rule 20 of the Tamil Nadu Transparency In Tenders Rules, 2000 on 03.03.2016 by fixing the last date for submission of Tenders as 18.03.2016. He further submitted that the respondents will not proceed with the Tender Notification for the year 2016-17 dated 22.02.2016 published in the Maalai Malar Newspaper, dated 23.02.2016.

6.Hence, recording the submissions of the learned counsel appearing for the respondents, this writ petition is closed. No costs. Consequently, the connected miscellaneous petitions are also closed.

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-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

To

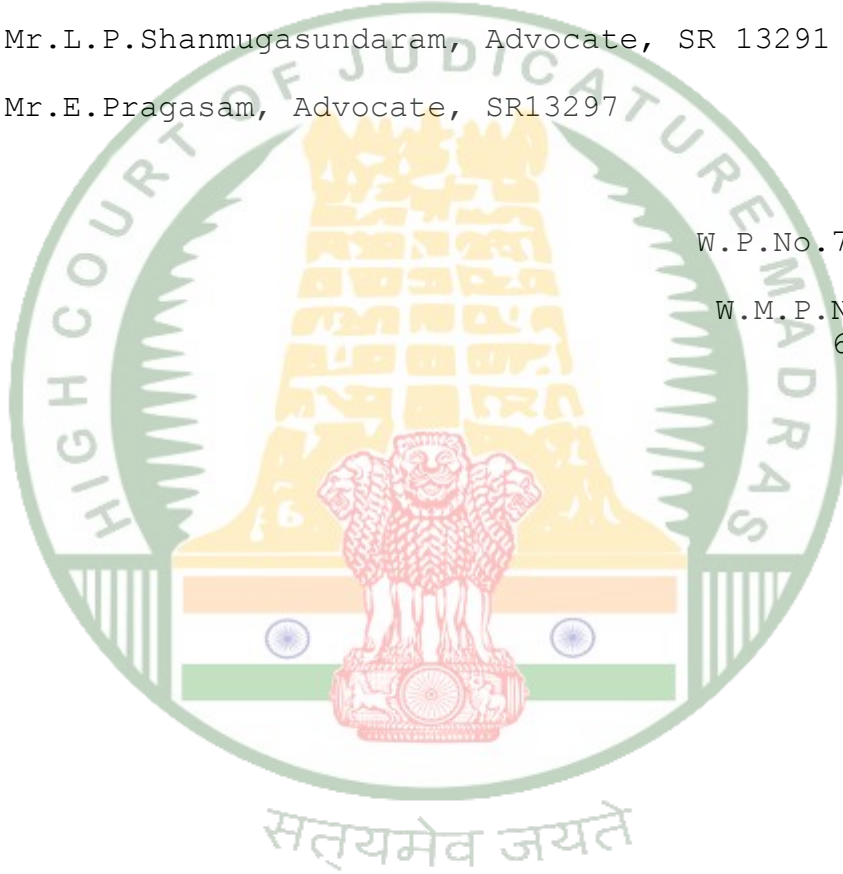
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Coimbatore District.

+ 1 cc to Mr.L.P.Shanmugasundaram, Advocate, SR 13291

+ 1 cc to Mr.E.Pragasam, Advocate, SR13297

jsv(co)
prk2/3

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