



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition(MD)No.390 of 2016
and W.M.P(MD)Nos.316 & 317 of 2016

Aadithyan Multi Services,
No.34/D-5, Rajaram Nagar,
Krishnamoorthy Nagar,
K.K.Nagar,
Tiruchirappalli - 21
Rep. By its Proprietor,
R.Chandrasekar.

... Petitioner

Vs.

1.The Special Officer/District Collector,
Thiruchirappalli District Co-operative
Milk Producers' Union Limited,
Puthukottai Road,
Kottapattu,
Tiruchirappalli - 23.

2.The District Revenue Officer/General Manager,
Thiruchirappalli District Co-operative
Milk Producers' Union Limited,
Puthukottai Road,
Kottapattu,
Tiruchirappalli - 23.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertains to the impugned order passed by the second respondent in Na.Ka.No.6793/Po Ni/2012 dated 29.12.2015 and quash the same and further to direct the respondents to evaluate and release the result of the tender conducted by the second respondent on 10.09.2015.

For Petitioner : Mr.C.Muthusaravanan

For Respondents : Mr.N.S.Karthikeyan
Additional Government Pleader

This Writ Petition is filed challenging the order dated 29.12.2015 passed by the second respondent intimating that the



contract allotted to the petitioner is terminated on 31.12.2015 and new contractor is going to continue the work from 01.01.2016.

2. Mr.N.S.Karthikeyan, learned Additional Government Pleader takes notice for the respondents and by consent of both parties, the main Writ Petition itself is taken up for final disposal.

3. The petitioner firm was allotted with a work of cleaning and maintenance of the toilets belonging to the respondents and from 2006 onwards, he has been entrusted with such work by renewing the contract periodically.

4. It is seen that the contract period finally came to an end on 31.03.2014 through proceedings dated 25.03.2013. Though the learned counsel appearing for the petitioner submits that the contract was subsequently renewed, no such proceedings is placed before this Court. Even otherwise, as admitted by the petitioner, the respondents have invited tender for the subsequent period by their proceedings indicating the date of tender as 10.09.2015 and the petitioner has also submitted his tender. Therefore, it goes without saying that the contract period given to the petitioner having already expired, the respondents rightly invited fresh tender, wherein the petitioner has also submitted his tender. If somebody is selected and appointed as a new contractor, the petitioner cannot have any grievance as against the impugned order stating that the contract period is over and other person is going to take charge from 01.01.2016. At the most, if the petitioner is aggrieved against the selection of such person, he should challenge such selection, if he can make out a case of illegality against such selection. Instead of doing so, the present Writ Petition is filed against the communication issued informing the formal termination of the contract awarded to the petitioner and the work allotted to new contractor. In fact, strictly speaking, termination of contract does not arise in this case, as the contract period itself has already expired and fresh tender was invited for appointing new contractor.

5. Accordingly, I find no merits in this Writ Petition. Consequently, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar(AS)

/True Copy/



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Kottapattu,
Tiruchirappalli - 23.

+One cc to M/s.C.Muthu Saravanan, Advocate, SR.No.1490

+One cc to The Special Government Pleader, SR.No.1799

ps

RL/5C/SKS/RR/21/1/2015

W.P (MD) No.390 of 2016

08.01.2016