

In the High Court of Judicature at Madras

Dated : 24.11.2017

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition Nos.30348 to 30351, 30390 to 30392, 30425, 30428 to 30433, 30438 to 30455, 30463, 30464 & 30480 to 30482 of 2017 and all connected pending WMPs

WP.No.30348 of 2017 :

- 1 M.PRASATH ... PETITIONER in WP No.30348 of 2017
- 1 KANNAN S/O.MURTHY ... PETITIONER in WP No.30349 of 2017
- 1 BALAMURUGAN ... PETITIONER in WP No.30350 of 2017
- 1 S.ARAKYORAJ ... PETITIONER in WP No.30351 of 2017
- 1 T.SUDHAKAR REDDY (SHOP NO.280) ... PETITIONER in WP No.30390 of 2017
- 1 T.SUDHAKAR REDDY (SHOP NO.293) ... PETITIONER in WP No.30391 of 2017
- 1 M.SINGARA CHETTIYAR ... PETITIONER in WP No.30392 of 2017
- 1 K.G.MADHU ... PETITIONER in WP No.30425 of 2017
- 1 G.CHAKKARAPANI ... PETITIONER in WP No.30428 of 2017
- 1 S.KUMAR ... PETITIONER in WP No.30429 of 2017
- 1 S.THANGAVELU ... PETITIONER in WP No.30430 of 2017
- 1 M.MEGANATHAN ... PETITIONER in WP No.30431 of 2017
- 1 K.BALASUBRAMANIAM ... PETITIONER in WP No.30432 of 2017
- 1 G.GEJAPATHY ... PETITIONER in WP No.30433 of 2017
- 1 P.VINOTH ... PETITIONER in WP No.30438 of 2017
- 1 S.BALU ... PETITIONER in WP No.30439 of 2017
- 1 MURUGANANTHAM ... PETITIONER in WP No.30440 of 2017

1 MURUGANANTHAM ... PETITIONER in WP No.30441 of 2017
1 SATHIYA ... PETITIONER in WP No.30442 of 2017
1 BALAMURUGAN ... PETITIONER in WP No.30443 of 2017
1 G.KALAISELVI ... PETITIONER in WP No.30444 of 2017
1 S.GOVINDARAJ ... PETITIONER in WP No.30445 of 2017
1 S.PALANI ... PETITIONER in WP No.30446 of 2017
1 S.GOVINDARAJ ... PETITIONER in WP No.30447 of 2017
1 S.KARTHIK ... PETITIONER in WP No.30448 of 2017
1 S.GOVINDARAJ ... PETITIONER in WP No.30449 of 2017
1 A.R.MURUGANANTHAM ... PETITIONER in WP No.30450 of 2017
1 A.R.MURUGANANTHAM ... PETITIONER in WP No.30451 of 2017
1 V.RAJENDRAN ... PETITIONER in WP No.30452 of 2017
1 S.BALU ... PETITIONER in WP No.30453 of 2017
1 P.RAJENDRAN ... PETITIONER in WP No.30454 of 2017
1 THANGARAJ ... PETITIONER in WP No.30455 of 2017
1 D.PERUMAL ... PETITIONER in WP No.30463 of 2017
1 S.MAGENDRAN ... PETITIONER in WP No.30464 of 2017
1 S.AROKIYAPATTHINATHAN ... PETITIONER in WP No.30480 of 2017
1 B.VENKATRAMANIYA ... PETITIONER in WP No.30481 of 2017
1 J.YOGESHWARAN ... PETITIONER in WP No.30482 of 2017

Vs

1 THE MANAGING DIRECTOR
TAMIL NADU STATE MARKETING DIRECTOR

THALAMUTHU NATARAJAN MAALIGAI GANDHI IRWIN
ROAD EGMORE CHENNAI-08

... 1ST RESPONDENT IN WP NO.30348 TO 30351,
30428 TO 30433, 30463 & 30464/17

- 2 THE SENIOR REGIONAL MANAGER
THE TAMIL NADU STATE MARKETING CORPORATION
LTD. LLA BUILDING ANNA SALAI CHENNAI 2.

... 2ND RESPONDENT IN WP NO.30348 TO 30351,
30463 & 30464/17

- 3 THE DISTRICT MANAGER
TAMIL NADU STATE MARKETING CORPORATION LTD
THIRUVALLUR EAST NO.1 BANGALORE HIGH WAY
CHEMBARAMBAKKAM THIRUVALLUR

... 1ST RESPONDENT IN WP NO.30348 TO 30351,
30425 30463 & 30464/17

- 4 THE MANAGING DIRECTOR
TAMIL NADU STATE MARKETING CORPORATION
(TASMAC) CMDA TOWERS 4TH FLOOR EGMORE
CHENNAI-08

.... 1ST RESPONDENT IN WP NO.30390 TO 30392 OF 2017

- 5 THE DISTRICT MANAGER
TAMIL NADU STATE MARKETING CORPORATION
(TASMAC) CHENNAI NORTH DISTRICT B-4
AMBATTUR INDUSTRIAL ESTATE AMBATTUR
CHENNAI-58

... 1ST RESPONDENT IN WP NO.30438 TO 30449, 30452,
30453 & 30455/17

... 2ND RESPONDENT IN WP NO.30390 TO 30392/17

- 6 THE TAMIL NADU STATE MARKETING
CORPORATION LTD (TASMAC) REP BY ITS
DISTRICT MANAGER CHENNAI (CENTRAL) DISTRICT
NO.B-4 AMBATTUR INDUSTRIAL ESTATE
AMBATTUR CHENNAI-58

... 1ST RESPONDENT IN WP NO.30450,30351,30482 OF 2017

.... 2ND RESPONDENT IN WPS. 30428 TO 30433/17

7 THE TAMIL NADU STATE MARKETING
CORPORATION LTD (TASMAC) REP BY ITS
DISTRICT MANAGER KANCHEEPURAM (NORTH)
DISTRICT THIRUMAZISAI SEMBARAPAKAM
TIRUVALLUR DISTRICT.

...1ST RESPONDENT IN WP NO.30454 OF 2017

8 THE TAMIL NADU STATE MARKETING
CORPORATION LTD (TASMAC) REP. BY ITS
DISTRICT MANAGER CHENNAI (SOUTH) DISTRICT
NO.B-4 AMBATTUR INDUSTRIAL ESTATE
AMBATTUR CHENNAI-600 058.

... RESPONDENT IN WP NO.30480,
30481 OF 2017

PRAYER IN WP.No.30348 of 2017 : PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the Tender Notification bearing Na.Ka.No.A4/7733/2017 dated 03.11.2017 of the file of the 3rd respondent, quash the same and forbear the respondents from increasing the upset price in respect of the license to collect empty bottles and sale of eatables in the bar attached to the petitioner's Shop No.9141 at No.1, New Colony, Morai Village, Avadi, Chennai.

WP No.30349 of 2017
writ of Certiorarified Mandamus calling for the records in relating to the Tender notification bearing A4/ 7733/ 2017 dated 03.11.2017 of the file of the 3rd respondent and quash the same and forbear the respondents from increasing the upset price in respect of the license to collect empty bottles and sale of eatables in the bar attached to the petitioners Shop No.8786 at No.8 Kovil Pathagai Main Road, Koil Pathagai, Avadi, Chennai

WP No.30350 of 2017
calling for the records in relating to the Tender notification bearing A4/ 7733/ 2017 dated 03.11.2017 of the file of the 3rd respondent and quash the same and forbear the respondents from increasing the upset price in respect of the license to collect empty bottles and sale of eatables in the bar attached to the petitioners Shop No.8885 at No.291 T.N.H.V.V. 13th Street, Ambattur, Chennai

WP No.30351 of 2017
calling for the records in relating to the Tender notification bearing A4/ 7733/ 2017 dated 03.11.2017 of the file of the 3rd respondent and quash the same and forbear the respondents from increasing the upset price in respect of the license to collect

empty bottles and sale of eatables in the bar attached to the petitioners Shop No.9187 at No.64/6 Kodadi Road, Thiruverkadu, Chennai-600 077

WP No.30390 of 2017

calling for the records relating to the online Tender notification issued the 2nd respondent dated 03.11.2017 vide Na.Ka. No.A4/561/ 2017 in respect shop bearing No.280 situated at No.1 Gangadevi Nagar, Kolathur, Chennai-600 099, quash the same on the ground of it being arbitrary, irrational, illegal and violative of the Provisions of the Tamil Nadu Transparency in Tender Act, 1998 and consequently direct the Respondents herein to fix the fair and justifiable license fee and grant the license for ship No.280 and permit the petitioner to run the said shop by paying the existing amount paid for previous year till the refixation of upset price

WP No.30391 of 2017

calling for the records relating to the online Tender notification issued the 2nd respondent dated 03.11.2017 vide Na.Ka. No.A4/561/ 2017 in respect shop bearing No.293 situated at S.R.P.Koil Street Paper Mills, Chennai-600082, quash the same on the ground of it being arbitrary, irrational, illegal and violative of the Provisions of the Tamil Nadu Transparency in Tender Act, 1998 and consequently direct the Respondents herein to fix the fair and justifiable license fee and grant the license for ship No.293 and permit the petitioner to run the said shop by paying the existing amount paid for previous year till the refixation of upset price

WP No.30392 of 2017

calling for the records relating to the online Tender notification issued the 2nd respondent dated 03.11.2017 vide Na.Ka. No.A4/561/ 2017 in respect shop bearing No.249 situated at NO.65-67, Strahans Road, Otteri, Chennai-600 012, quash the same on the ground of it being arbitrary, irrational, illegal and violative of the Provisions of the Tamil Nadu Transparency in Tender Act, 1998 and consequently direct the Respondents herein to fix the fair and justifiable license fee and grant the license for ship No.249 and permit the petitioner to run the said shop by paying the existing amount paid for previous year till the refixation of upset price

WP No.30425 of 2017

To call for the records of the Second Respondent proceedings of Auction cum Tender Notification bearing Na.Ka.No. A4/7733/2017 dated 03.11.2017 and to quash the said Notification.

WP No.30428 to 30433 of 2017
calling for the records from the file of the 2nd respondent in
Tender Notification Na.Ka. No.B1/264/ 2017, dated 3.11.2017, in
respect Shop No.835,449, 340, 409, 477, 409 Respectively,
published in Dinamani Tamil daily newspaper on 5.11.2017 and
quash the same and further direct the respondent to re-notify
the tender notification in so far as the petitioner is concerned

WP No.30438 to 30449, 30452, 30453 & 30455 of 2017
calling for the records relating to the Tender Notice in Na.Ka.
No.A4/ 561/ 2017 on the file of the respondent dated 03.11.2017
quash the same in so far as the bar attached to the TASMAC shop
No.64,104, 175, 99, 105, 107, 30, 169, 292, 132, 77, 63, 59, 134
& 131 Respectively is concerned

WP No.30450 & 30451 of 2017
calling for the records relating to the Tender Notice in Na.Ka.
No.P1/ 264/ 2017 on the file of the respondent dated 03.11.2017
quash the same in so far as the bar attached to the TASMAC shop
No.840 & 836 is concerned

WP No.30454 of 2017
Calling for the records relating to the Tender Notice in Na.Ka.
No.R6/ 652/ 2017 on the file of the respondent dated 03.11.2017
quash the same in so far as the bar attached to the TASMAC shop
No.4505 in concerned

WP No.30463 & 30434 of 2017
Calling for the records relating to the tender notification
bearing Na.Ka. No.A4/ 7733/2017 dated 03.11.2017 of the file of
the 3rd respondent and quash the same and forbear the
respondents from increasing the upset price in respect of the
license to collect empty bottles and sale of eatables in the bar
attached to the petitioners Shop No.8796 at No.5/1, Annai Nagar,
200 feet Road, Korattur, Chennai-600 076 and Shop No.8838 at
No.85, Kamarajar Salai, Chinna Sekkadu, Manali, Chennai-600 068
Respectively

WP No.30480 & 30481 of 2017
Calling for the records relating to the Tender Notice of the
Respondent dated 03.11.2017 in Na.Ka. No. P-1/1655/2017 and to
quash the same only in so far as it relates to the Petitioner.

WP No.30482 of 2017
Calling for the records relating to the Tender Notice of the
Respondent dated 03.11.2017 in Na.Ka. No. P-1/264/2017 and to
quash the same only in so far as it relates to the Petitioner.

For Petitioners in WP.Nos. 30348 to
30351, 30463 & 30464 of 2017 : Mr.M.Saravanakumar

For Petitioners in WP.Nos.30390 to
30392 of 2017 : Mr.A.Ganapatheeswaran

For Petitioner in WP.No.30425 of
2017 : Mr.R.Thirugnanam

For Petitioners in WP.Nos.30428 to
30433 of 2017 : Mr.B.S.Gnanadesikan, SC for
M/s.Gnanadesikan Law Associates

For Petitioners in WP.Nos.30438 to
30455 of 2017 : Mr.S.Doraisamy

For Petitioners in WP.Nos.30480 to
30482 of 2017 : Mr.K.Selvaraj

For Respondents in WP.Nos.30348
to 30351, 30390 to 30392, 30425,
30438 to 30455, 30463, 30464 &
30480 to 30482 of 2017 : Mr.Arumugharajan

For Respondents in WP.Nos.30428
to 30433 of 2017 : Mr.K.Sathishkumar

COMMON ORDER

The issue raised in these writ petitions is covered by a decision of this Court in the case of M.Chandiran Vs. Tamil Nadu State Marketing Corporation Limited & others [W.P.No.29727 of 2017 etc. cases dated 23.11.2017].

2. Following the said decision, these writ petitions are dismissed. No costs. Consequently, all connected pending WMPs are also dismissed.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

RS

TO:

- 1 THE MANAGING DIRECTOR
TAMIL NADU STATE MARKETING DIRECTOR
THALAMUTHU NATARAJAN MAALIGAI GANDHI IRWIN
ROAD EGMORE CHENNAI-08
- 2 THE SENIOR REGIONAL MANAGER
THE TAMIL NADU STATE MARKETING CORPORATION
LTD. LLA BUILDING ANNA SALAI CHENNAI 2.
- 3 THE DISTRICT MANAGER
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THIRUVALLUR EAST NO.1 BANGALORE HIGH WAY
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AMBATTUR CHENNAI-600 058.

+6 cc to Mr.GNANADESIKAN LAW ASSO Advocate, S.R.No. 84481
+5 cc to Mr.P.ARUMUGARAJAN Advocate, S.R.No. 83972
+18 cc to Mr.S.DORAISAMY Advocate, S.R.No. 83947 to 83964

WP.No.30348 of 2017 etc. cases

RV(CO)
TR(10/01/2018)



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