

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.33422 of 2017
and
WMP Nos.36911 and 36912 of 2017

M/s.Suraj Cycle Private Ltd.,
Rep. by its Authorised Signatory M.Velmurugan,
C-106, Focal Point, Phase-5,
Ludhiana,
Punjab 141 010. [PETITIONER]

Vs

- 1.The Secretary to Government of Tamil Nadu,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Fort St.George, Secretariat,
Chennai-600 009.
- 2.The Commissioner of Backward Class Welfare,
Ezhilagam, Annexe Building,
2nd Floor, Chepauk,
Chennai 600 005. [RESPONDENTS]

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified mandamus to call for the records of the respondents pertaining to the Tender No.2/2017 dated 15.11.2017 and quash the same and consequently, direct the respondents herein to follow the procedure set out in the Tamil Nadu Transparency in Tender Transparent Act and Rules.

For Petitioner : Mr.P.Ebenezer Paul
For Respondents : Mr.C.Manishankar
Additional Advocate General
Assisted by Mr.R.Govindasamy
Special Government Pleader

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent, the main writ petition itself is taken up for final disposal at the stage of admission.

2.The petitioner is aggrieved against the tender notification in Tender No.2/2017 dated 15.11.2017, solely on the ground that the said tender notification was not published in the Indian Trade Journal, as required under Section 9(3) of the Tamil Nadu Transparency in Tenders Act 1998 read with Rule 11 of the Tamilnadu Transparency in Tender Rules, 2000.

3.When the matter is taken up today for hearing for admission, the learned Additional Additional Advocate General appearing for the respondents submitted that the contention of the petitioner is factually incorrect as the tender notice was published in the Indian Trade Journal dated 25.10.2017. He has also produced a copy of the same before this Court, also by furnishing such copy to the learned counsel for the petitioner.

4. In view of the above stated facts and circumstances, I do not think that the petitioner can have any grievance, as the only ground raised in this writ petition is factually incorrect. Accordingly, the writ petition fails and the same is dismissed. No costs. The connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(CS VII)

//True copy//

Sub Assistant Registrar

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To

1.The Secretary to Government of Tamil Nadu,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Fort St.George, Secretariat,
Chennai-600 009.

2.The Commissioner of Backward Class Welfare,
Ezhilagam, Annexe Building,
2nd Floor, Chempauk,
Chennai 600 005.

+1cc to Mr.P.Ebenezer Paul, Advocate SR.No.91670

W.P.No.33422 of 2017

GN(18/01/2018)