

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.Nos.14904, 14140, & 14886 of 2017 &
 W.M.P.Nos.16144 & 16145, 15342 & 15343
 and 16129 & 16130 of 2017

M/s.Current Electrical Ltd.
 Rep. by its Executive Director

Mr.M. Saravanan

Survey No. 184/2 & 213

Thirumudivakam Vill (Near SIDCO)

Sriperumbudur ,Kanchipuram District

Chennai - 600 044

... Petitioner in W.P.No.14904/2017

Lavanya Industries

Rep by its Partner,P.R.Kannan

4A, Kuppuswamy Nagar

Vanagaram, Chennai - 600 095

... Petitioner in W.P.No.14140/2017

M/s.SPS Transformers P.Ltd

Rep.by its General Manager K.R.Premkumr

New No.1 Old No.7

Dr.B.N.Road, 1st Street T. Nagar

Chennai 600 017

... Petitioner in W.P.No.14886/2017

v.

1. The Chairman

Tamil Nadu Electricity Board

No.144, Anna Salai, Chennai - 600 002.

2 The Chief Engineer

Material Management

TANGEDCO, No. 144 Anna Salai

Chennai 02.

... Respondents 1 & 2 in W.P.No.14904/2017

3 .The Chairman
TANGEDCO
No.144, Anna Salai
Chennai - 600 002

4 The Chief Engineering material Management
TANGEDCO
4th Floor, Western Wing
NPKRR Maligai
No.144, Anna Salai
Chennai - 600 002

... Respondents 1 & 2 in W.P.No.14886/2017

5 M/s.Supreme Power Equipment Pvt. Ltd.
Rep. by its Managing Director
Mr.Vee.Rajmohan
No.55, Sidco Industrial Estate
Thirumazhisai, Chennai - 600 124

6. S.L. Electricals
Rep. by its Prop.T.Srinivasan
No.325, Odaman Nagar
Vannagaram, Chennai - 95.

7. SAP Industries
Rep. by its CEO, R.Harirajan
Plot No.51, Industries Estate
Thirumudivakkam, Chennai - 44.

8. Sarayu Engineering
Rep. by its CEO R.Venkateswaran
No.35, Padiyur Road
Kulathur, Dindugal - 5.

9.Venkatewara Electrical Industries Pvt. Ltd.
Rep. by its Managing Director
A.Sivasubramani
No.74, Kundrathur Road
Porur, Chennai - 76

10.Bala Industries

Rep. by its Managing Partner
S.A.Arulselvam
No.53, Multi Industrial Nagar
Gerugumbakkam
Chennai - 128

11.Hindustan Transformers

Rep. by its Managing Partner, V.Ramesh
No.37-B, Sidco Industries Estate
Thirumazhisai
Chennai 124.

12.EMMEESS Control Private Ltd

Rep. by is MD Mr.Srinivasan
Nos.90, 91, 92 Sidco Industrial Estate
Thirumazhisai, Chennai

13.Sri Venkateswara Engineering Works

Rep. by its Prop.Mr.D.Babu
No.160, Snagaralingam street
Gerugambakkam, Chennai 128

14.EVR Electrical Pvt. Ltd.

Rep. by its Director Elumalai
No.64, Ponni Amman Nagar
Ayanambakkam, Chennai - 05

(R3 to R12 impleaded as per order dated
20.06.2017 in WMP Nos.167777, 16778,
16778 to 16793/2017)

... Respondents 3 to 12 in W.P.No.14904/2017
... Respondents 3 to 12 in W.P.No.14886/2017

15.M/s.IPL Products

Rep. by its Proprietor
Mr.A.Shanmuga Velayutham
No.R-2, Industrial Estate
Guindy, Chennai - 600 032. ... 13th Respondent in W.P.No.14886/2017

16.The Chairman

TANGEDCO

No.144, Anna Salai

Chennai - 600 002

17.The Chief Engineering material Management

TANGEDCO

4th Floor, Western Wing

NPKRR Maligai, No.144, Anna Salai

Chennai - 600 002

18.The Superintending Engineer

Material Management II

TANGEDCO

4th Floor, Western Wing

NPKRR Maligai

No.144, Anna Salai

Chennai - 600 002

19. M/s.Supreme Power Equipment Pvt. Ltd.

Rep. by its Managing Director

Mr.Vee.Rajmohan

No.55, Sidco Industrial Estate

Thirumazhisai, Chennai - 600 124

20. S.L. Electricals

Rep. by its Prop.T.Srinivasan

No.325, Odaman Nagar

Vannagaram, Chennai - 95.

21. SAP Industries

Rep. by its CEO, R.Harirajan

Plot No.51, Industries Estate

Thirumudivakkam, Chennai - 44.

22. Sarayu Engineering

Rep. by its CEO R.Venkateswaran

No.35, Padiyur Road

Kulathur, Dindugal - 5.

23.Venkatewara Electrical Industries Pvt. Ltd.

Rep. by its Managing Director

A.Sivasubramani

No.74, Kundrathur Raod

Porur, Chennai - 76

24.Bala Industries

Rep. by its Managing Partner

S.A.Arulselvam

No.53, Multi Industrial Nagar

Gerugumbakkam

Chennai - 128

25.Hindustan Transformers

Rep. by its Managing Partner, V.Ramesh

No.37-B, Sidco Industries Estate

Thirumazhisai

Chennai 124...

(R3 to R10 impleaded as per order dated
20.06.2017 in WMP Nos.16779 & 16780/2017)

26.M/s.Senthil Engineering Company

Rep. by its Manager

MR.E.Ayyanar

New No.75-B, Kundrathur Raod

Porur, Chennai - 600 116.

(R11 impleaded as per order dated
29.06.2017 in WMP Nos.17732 &
17783 /2017)

... Respondents 1 to 11 in W.P.No.14140/2017

Writ Petition No.14904/2017 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to open Envelop - B (price bid) of the petitioner submitted for supply of energy efficiency in response to specifications numbers M-15/16-17, M-16/16-17, M-18 M-19/16-17, M-22/16-17 and M-23/16-17, dated 20.01.2017 to 07.02.2017 and to place purchase orders for supply of transformers.

Writ Petition No.14140/2017 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to open Envelop - B (price bid) of the petitioner submitted for supply of energy efficiency in response to specifications numbers M-15, M-26, M-18, M-19, M-23 and M-22/16-17, d and to place purchase orders for supply of transformers.

Writ Petition No.14886/2017 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to open Envelop - B (price bid) of the petitioner submitted for supply of energy efficiency in response to specifications numbers M-15/16-17, M-16/16-17, M-19/16-17, M-22/16-17 and M-23/16-17, dated 23.01.2017 to 07.02.2017 and to place purchase orders for supply of transformers.

For Petitioners : Mr.P.S.Raman, Sr. Counsel
For Mr.R.Sivaraman (All WPs)

For Respondents : Mr.Yashod Vardhan, Sr. Counsel
Mr.S.K.Rameshwar, Standing Counsel
for R1 & R2 in W.P.Nos.14904 &
14886/17 & R1 to R3 in W.P.14886/17

Mr.P.Soloman Francis
for R3 to R9 & R11 & R12
in W.P.Nos.14904 & 14886/2017 &
R4 to R11 in W.P.1410/2017

Mr.V.Raghavachari
for Mr.J.Srinivasan- for R10
in W.P.Nos.14904 & 14886/2017

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COMMON ORDER

When the matters are taken up for hearing, Mr.Yashod Vardhan, learned Senior Counsel appearing for the TANGEDCO, submitted that TANGEDCO had decided to withdraw the tender notifications issued on various dates, which are subject matter in the present writ petitions. The learned Senior Counsel, Material Management, TANGEDCO, also made an endorsement to that effect in the writ petitions.

2. However, Mr.V.Raghavachari, learned counsel appearing for the 10th respondent in W.P.Nos.14904 & 14886 of 2017 submitted that even the regular bidders have submitted their bids quoting very same price and also submitted that they are submitting their bids for more than 15 years.

3. Since the learned Senior Counsel appearing for the TANGEDCO has submitted that the TANGEDCO had decided to withdraw the notifications, the TANGEDCO is permitted to withdraw the notifications issued and issue fresh notification calling for tenders.

4. Since the notifications are withdrawn by TANGEDCO, I do not find any reason to keep the writ petitions filed by the petitioners pending. Accordingly, the writ petitions are dismissed as infructuous, leaving the issues involved in the writ petitions open and it is for the parties to adjudicate the issues as and when required. No costs. Consequently, connected miscellaneous petition is also dismissed.

28.07.2017

Index : Yes/No

Note : Issue order copy by 02.08.2017

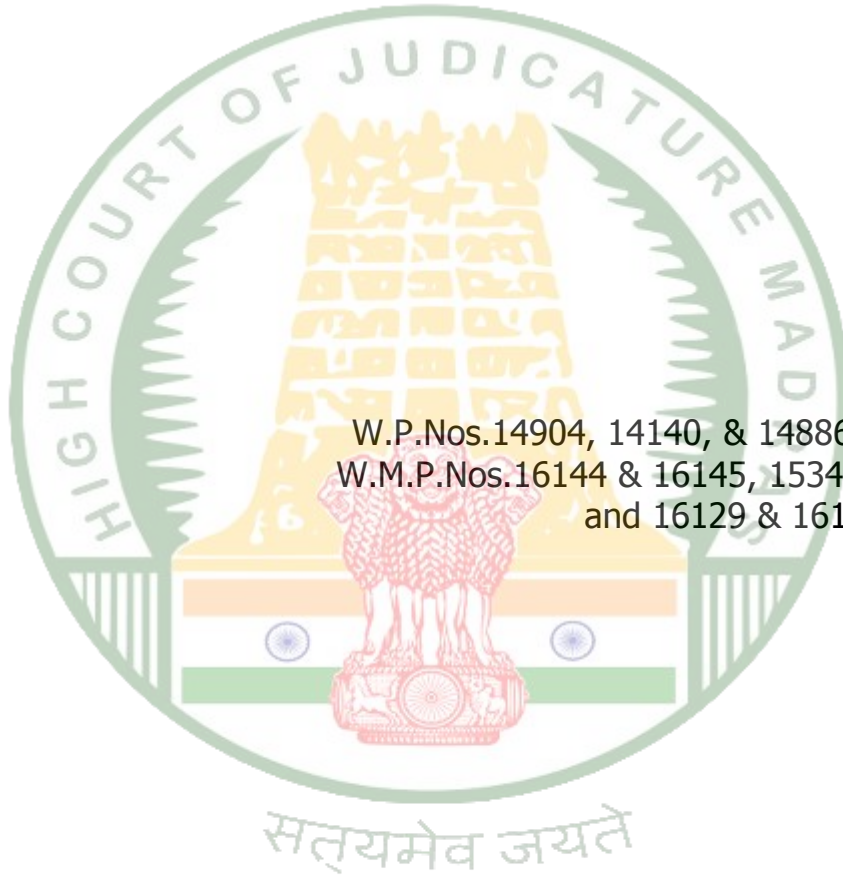
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M. DURAISWAMY,J.

Rj



W.P.Nos.14904, 14140, & 14886 of 2017 &
W.M.P.Nos.16144 & 16145, 15342 & 15343
and 16129 & 16130 of 2017

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