

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2017

CORAM

THE HONOURABLE MR. JUSTICE M.DURAI SWAMY

W.P.Nos.17485 and 26494 of 2014
and M.P.Nos.1 & 2 of 2014 in W.P.No.17485 of 2014
and
W.P.No.26494 of 2014

M/s.Mohanlal Jewellers Pvt. Ltd.
(Rep by its Director
Mr.Suresh Kumar Khatri)
No.139 and 141 N.S.C. Bose Road
Sowcarpet Chennai 1

[Petitioner in both WPs]

Vs

1 State of Tamilnadu
Through its Principal Secretary
Social Welfare and Nutritious Meal Programme
Department, Fort St. George Chennai 9

2 The Director of Social Welfare
No.58 Arunachalam Street Chintadripet
Chennai 2

[Respondents 1 & 2 in both Wps]

3 The Tender Evaluation
Committee Government of Tamilnadu
Fort St. George Chennai 9

[3rd respondent in W.P.No.17485/14]

Prayer : Writ Petition No.17485/14 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified mandamus calling for the records on the file of the 1st respondent rejecting the petitioners appeal comprised in Letter No. 454/SW3/2014-1 dt 11.2.2014 and quash the same as being arbitrary and illegal and contrary to the provisions of the Tamil Nadu Transparency in Tenders Act 1998 and Tamil Nadu Transparency in Tenders Rules 2000 and consequently directing the 2nd respondent to add the Customs Duty at the applicable rates to the supplies effected by the petitioner under the firm order for supply dt 27.11.2013 under Tender Roc. No. 22852/WWI (1)/2013 together with interest of 18% p.a. from the date the

payments became due till the date of realization and make payment of such amount in a time bound manner.

Prayer : Writ Petition No.26494/14 filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified mandamus calling for the records of the 2nd respondent in the notices bearing reference Roc. NO.22852/WW1 (1)/2013 dated 1.8.2014 and 18.8.2014 and the consequential order dated 12.9.2014 and quash the same as being untenable in law arbitrary and illegal and consequently directing the 2nd respondent to return or refund the entire money adjusted including by way of forfeiture of EMD and invocation of Bank Guarantee for a tune of Rs.5 35 42 344/- and the interest thereon together with interest at the rate of 18% p.a. from the date of completion of supplies till the date of realization and make payment of such amount in a time bound manner.

For Petitioner : Mr.Rahul Balaji
For Respondents : Mr.P.Sanjay Gandhi, AGP

C O M M O N O R D E R

The learned counsel appearing for the petitioner has submitted a letter dated Nil to the Registry seeking permission of this Court to post the above writ petitions for withdrawal. The matters are listed today under the heading "for withdrawal". When the matters are taken up today, a similar request is made before this Court and endorsements have also been made to that effect.

2. In view of the same, the Writ Petitions stand dismissed as withdrawn. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

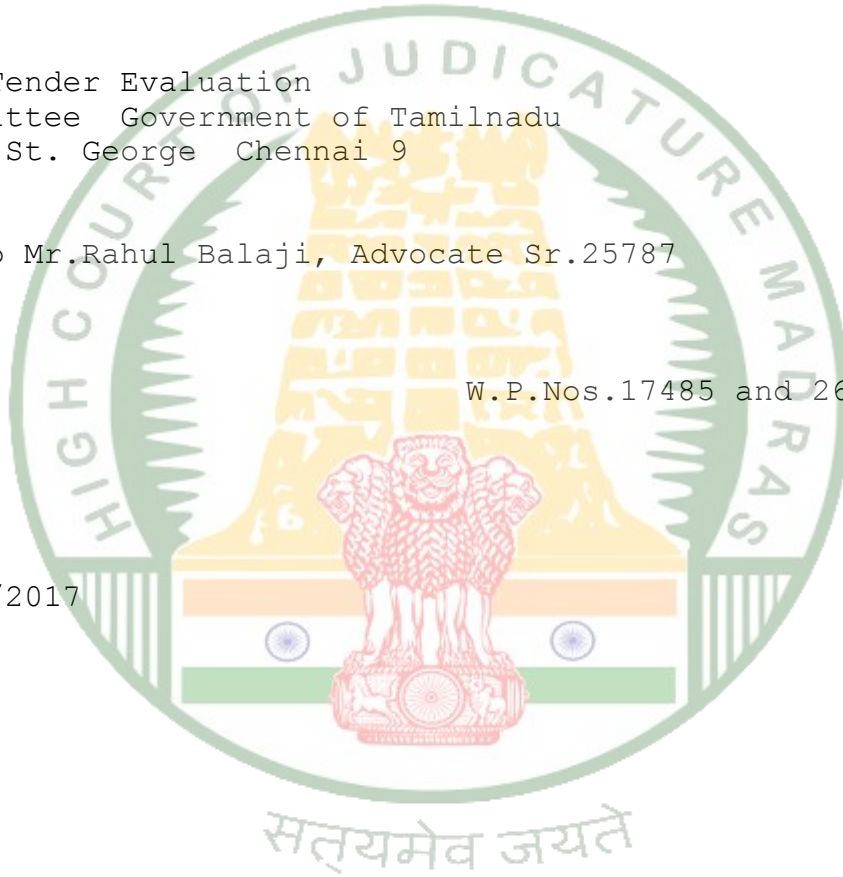
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To

- 1 The Principal Secretary
Social Welfare and Nutritious Meal Programme
Department Fort St. George Chennai 9
- 2 The Director of Social Welfare
No.58 Arunachalam Street Chintadripet
Chennai 2
- 3 The Tender Evaluation
Committee Government of Tamilnadu
Fort St. George Chennai 9

+1cc to to Mr.Rahul Balaji, Advocate Sr.25787

W.P.Nos.17485 and 26494 of 2014

vsn[col]
srg 28/04/2017



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