IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.11371 of 2013
and
M.P.No.2 of 2013

M/s.Madras Cements Ltd.,
rep.by its Deputy General Manager (Legal),
Auras Corporate Centre,
98A, RK Salai, Mylapore,
Chennai - 600 004.

.. Petitioner

vs.

1.Union of India,
rep.by its Deputy Director,
Ministry of Environment & Forests,
146, Paryawaran Bhavan, Lodhi Road,
New Delhi - 110 003.

2.The State of Tamil Nadu,
rep.by its Secretary,
Fort St.George,
Chennai - 600 009.

3.The Tamil Nadu Generation & Distribution
Corporation Limited, rep.by its,
Chief Engineer (Civil) Designs,
3rd Floor, NPKKR Malligai,
144, Anna Salai,
Chennai - 600 002.

4.The Tamil Nadu Pollution Control Board,
rep.by its Chairman,
76, Anna Salai, Guindy,
Chennai - 600 032.

.. Respondents

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Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the third respondent in Tender Specification Number CE/CD/SE/CD/08/2012-13 for 'Lifting and Disposal of Dry Fly Ash 700MT/day from Unit III of Mettur Thermal Power Station and quash the same as arbitrary and illegal.

For petitioner : Mr.Rahul Balaji
for M/s.R.Parthasarathy

For 1st respondent : M/s.G.Hema, CGSC

For 2nd respondent : Mr.S.Navaneethan,
Additional Government Pleader

For 3rd respondent : Mr. C.Mani Shankar,
Additional Advocate General
assisted by Mr.S.K.Rameshuwar
Standing Counsel for TNEB

For 4th respondent : No appearance

ORDER

The parties concerned are hereby agreed that the tenure of contract stipulated in the impugned tender notification has been expired and that contracts were not executed pursuant to the tender notification. Therefore, nothing survives to adjudicate in the present Writ Petition. Hence, the Writ Petition is dismissed as infructuous. However, liberty is granted to the Tamil Nadu Generation & Distribution Corporation Limited/the third respondent herein, to issue fresh notification calling for the tenders. No costs. Connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar(CSVIII)

True Copy

Sub-Assistant Registrar

asvm

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To

1.The Deputy Director,
Ministry of Environment & Forests,
Union of India
146, Paryawaran Bhavan, Lodhi Road,
New Delhi - 110 003.

2.The Secretary,
State of Tamil Nadu,
Fort St.George,
Chennai - 600 009.

3.The Chief Engineer (Civil) Designs,
The Tamil Nadu Generation &
Distribution Corporation Limited,
3rd Floor, NPKKR Malligai,
144, Anna Salai,
Chennai - 600 002.

4.The Chairman,
The Tamil Nadu Pollution Control Board,
76, Anna Salai, Guindy,
Chennai - 600 032.

+1 cc to Mr.S.K.Raameshuwar Advocate sr 12545
+1 cc to the Government Pleader High Court Madras sr 12613

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and
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