

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 17.08.2017****CORAM****THE HONOURABLE MR.JUSTICE M.DHANDAPANI****W.P.No.22782 of 2004**

M/s.Sindhu Priya Enterprises
represented by its Proprietor
Sri.K.Venkatraman

... Petitioner

Vs.

1.The Government of Tamilnadu
Rep. by its Secretary,
Health Department, Fort St.George,
Chennai – 600 009.

2.The Office of Dean,
Coimbatore Medical College Hospital
Coimbatore – 18.

3.Sri.Vari Groups

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the impugned order of the second respondent vide Prec.Ref.No.22631/E4/2004 dated 30.7.04 and quash the same and further direct the second respondent to call for the Fresh tender.

For Petitioner : No Appearance
For Respondents : Mr.A.Zakkir Hussain for R1 and R2
Government Advocate
No Appearance for R3

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the impugned order of the second respondent vide Prec.Ref.No.22631/E4/2004 dated 30.07.2004 and quash the same and further direct the second respondent to call for a fresh tender.

2. There is no representation for the petitioner. Heard the learned Government Advocate appearing for the respondents 1 and 2.

3. The brief facts of the case are as follows: The petitioner is running security services business and he supplies security workers on contract basis to various offices, firms and hospitals etc. The second respondent during the year 2003 called for tender for providing 18 security workers for their Coimbatore Medical College on contract basis from 01.11.2003 to 31.07.2004 and the petitioner was successful in procuring the tender and therefore, the petitioner supplied 18 security workers with the second respondent medical hospital for the above mentioned period. Thereafter, the second respondent called for tender for supply of security workers for a period of one year starting from 01.08.2004. The petitioner had also participated in the tender. But the third respondent was awarded the

tender. Challenging the same, the petitioner has filed this writ petition.

4.This Court on 01.11.2004 had dismissed the petition seeking to stay the operation of the impugned order stating as follows:

"Learned Government Advocate would submit that while granting tender it is unnecessary that the lowest bid should be accepted and that, if there are valid reasons for awarding tender to an other there can be no objection. However, counter has not been filed. But there is no dispute that the third respondent has already been awarded, the job of carrying on security service for the second respondent-Hospital. In the said circumstances, nothing survives in this stay petition and it is dismissed."

सत्यमेव जयते

5.The writ petition is of the year 2004 and after a lapse of nearly thirteen years, this Court do not think that anything would survive in this writ petition for adjudication. Accordingly, this writ petition is dismissed. No costs.

17.08.2017

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

M.DHANDAPANI,J.
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To

- 1.The Government of Tamilnadu
Rep. by its Secretary,
Health Department, Fort St.George,
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- 2.The Office of Dean,
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