



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**Friday, the Twenty Second day of September Two Thousand and
Seventeen**

PRESENT

WEB COPY

The Hon`ble Mr. Justice K.KALYANASUNDARAM

WMP(MD) No.4098 of 2017

IN

WP(MD) No.20968 of 2016

Rosmerta Autotech Pvt. Ltd.,
Register Office :
Khasra No.19/28, Kapashera,
New Delhi - 110 037
Corporate Office at
137, Udyog Vihar, Phase-I,
Gurgaon - 122 2016.

... Petitioner

-Vs-

1.The Principal Secretary to Govt.,
Govt. of Tamil Nadu,
Transport Department, State of Tamil Nadu,
Chennai- 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (TNV) Ltd.,
Central Office Thoothukudi Road,
Kattaboman Nagar,
V N Chattaram, Tirunelveli - 627 011.

3.The Deputy Manager(Materials),
Central Office Thoothukudi Road,
Kattaboma Nagar, V N Chattaram,
Tirunelveli 627 011.

... Respondents

Prayer in WMP(MD). 4098/ 2017 :

Petition filed under Article 226 of the Constitution of India to Restore the WP(MD)No.20968 of 2016 which is dismissed for non appearance on 15.02.2017 and take it on file for adjudication and pass.

Prayer in WP(MD). 20968/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent Corporation, relating to the Tender Notice dated 8.10.2016 in Tender Notice No. 3795/2016 for the procurement of Speed Control Device for all models of TATA and Leyland buses and the subsequent impugned tender process and to quash the same and consequently direct the 2nd respondent Corporation to publish a fresh Tender Notice for the procurement of Speed Control Device for all models of TATA and



Leyland buses, following the due procedure of law prescribed in the Tamil Nadu Transparency in Tenders Act, 1998 (Tamil Nadu Act 43 of 1998) and the Tamil Nadu Transparency in Tenders Rules, 2000, in a fair and transparent manner.

ORDER: This petition coming on for hearing on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.KALYAN JHABAKH for M/s.SURANA AND SURANA Advocate for the petitioner and of Mr.A.MUTHUKARUPPAN Additional government Pleader for the first Respondent and Mr.K.SATHIYA SINGH Advocate for the Second and third respondents, this Court made the following Order:

" This Petition is allowed and the WP(MD)No.20968 of 2016 is restored. Post the writ petition in the Second Week of October"

Sd/-

Assistant Registrar(CRL. SIDE)

/True Copy/

Sub Assistant Registrar

TO

- 1.The Principal Secretary to Govt.,
Govt. of Tamil Nadu,
Transport Department, State of Tamil Nadu,
Chennai- 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (TNV) Ltd.,
Central Office Thoothukudi Road,
Kattaboman Nagar,
V N Chattaram, Tirunelveli - 627 011.
- 3.The Deputy Manager(Materials),
Central Office Thoothukudi Road,
Kattaboma Nagar, V N Chattaram,
Tirunelveli 627 011.

COPY TO :

THE SECTION OFFICER, WRIT SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.(FOR POSTING W.P)
JS/JC/SAR.2/28.09.2017/2P-5C

ORDER DATED :22/09/2017

ORDER

WMP(MD) No.4098 of 2017
IN
WP(MD) No.20968 of 2016

ALLOWING THIS PETITION TO
RESTORE W.P(MD)No.20968/2016
ETC., AS STATED WITHIN.