

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2018

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice N.ANAND VENKATESH

W.P.No.20044 of 2018
and
W.M.P.No.23506 of 2018

A.Krishnaprasad ... Petitioner

Vs

1.The State of Tamil Nadu
rep. by its Secretary to
Government,
Health and Family Welfare
Department, Fort St. George,
Chennai - 9.

2.The Tamil Nadu Medical Services
Corporation Ltd., rep. by its
Managing Director,
No.417, Pantheon Road, Egmore,
Chennai - 8.

... Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of declaration declaring that the tender floated by the second respondent vide Tender Ref. No.004/M(P)/ABC-KIT/TNMSC/2018 dated 29.06.2018 is contrary to law and illegal due to imposition of arbitrary and unreasonable conditions for participating in the tender.

For Petitioner .. Mr.Sai Krishnan
for Mr.N.U.Prasanna

For Respondents .. Mr.Vijay Narayan,
Advocate General
assisted by
Mr.T.N.Rajagopalan,
Govt. Pleader for R1

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Seeking to declare the tender floated by the second respondent vide Tender Ref. No.004/M(P)/ABC-KIT/TNMSC/2018 dated 29.06.2018 is contrary to law and illegal due to imposition of arbitrary and unreasonable conditions for participating in the tender, the present writ petition has been filed.

2.Heard the learned counsel appearing for the petitioner and the learned Advocate General appearing for the first respondent.

3.The issue raised in this writ petition is no longer res integra. Considering the same, a Division Bench of this Court in W.P.No.19352 of 2018, by following the earlier Division Bench judgment in W.P.No.22465 of 2013 dated 27.08.2014, was pleased to dismiss the writ petition as not maintainable in law.

4.In such view of the matter, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-V)

// True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Health and Family Welfare
Department, Fort St. George,
Chennai - 9.

2.The Managing Director,
Tamil Nadu Medical Services
Corporation Ltd.,
No.417, Pantheon Road, Egmore,
Chennai - 8.

W.P.No.20044 of 2018

VGI (CO)
SMI/31.08.2018