

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.4404 of 2018
and
WMP.Nos.5415 & 5416 of 2018

Sterling and Wilson Pvt. Ltd.,
Rep. by its Authorised Signatory
Mr.Raveendran
Having office at Sai Sriyas Krishna
No.72, 1st and 2nd Floor,
Ekkattuthangal, Poonamallee Road,
Ekkattuthangal, Chennai-600 032. ... Petitioner

versus

The Chief Engineer / Civil / Transmission
Tamil Nadu Transmission Corporation Limited
(TANTRANSCO)
144, Anna Salai, Chennai-600 002. ... Respondent

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, quash the impugned order Tender T-04/2017-18 dated 01.02.2018 download from the website passed by the respondent and quash any other proceedings / orders by respondent in furtherance to the impugned order dated 01.02.2018 and consequently, direct the respondent to consider the evaluation of petitioners tender part 1 again and accept the same if it is in order and consider the petitioner for tender part 2 price bid also.

For Petitioner: Mr.T.P.Manoharan
Senior Counsel for
Mr.C.T.Prabhakar

For Respondent : Mr.Abdul Saleem
standing counsel

O R D E R

This writ petition is filed challenging the order dated 01.02.2018, rejecting the technical bid of the petitioner on the reason that the same does not satisfy the bid qualification requirements.

2. Mr.T.P.Manoharan, learned Senior Counsel appearing for the petitioner submitted that the impugned order does not give any specific reason with details as to how the petitioner's technical bid does not satisfy the bid qualification requirements. Therefore, he contended that the impugned order is bereft of material details and vague.

3. Mr.Abdul Saleem, learned standing counsel, who takes notice for the respondent submitted that subsequent to the impugned communication, the price bid was also opened and a third party is found as L1 and therefore, the present writ petition as such is not maintainable. He further submitted that the petitioner will be intimated with details for rejection and also the selection of the successful bidder.

4. Needless to say that once such communication is issued, it is open to the petitioner to challenge the same in a manner known to law, by raising all the points, including the grounds raised in this writ petition. Accordingly, this writ petition is closed, however, by granting liberty to the petitioner to agitate the matter, by way of fresh proceedings, as and when the selection is made, as stated supra. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

mk

To

The Chief Engineer / Civil / Transmission
Tamil Nadu Transmission Corporation Limited
(TANTRANSCO)
144, Anna Salai, Chennai-600 002.

+1cc to Mr.Abdul Saleem, advocate sr.no.15505

W.P.No.4404 of 2018

nr 14/03/2018