

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.12.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.36755 to 36758 of 2005

and

W.P.M.P.Nos.1185 to 1188 of 2006, 2883 to 2886 of 2006 &
39369 to 39372 of 2005

1.MSB Industries,
rep by Proprietrix M.Sivakumari
287, VOC Street, Kumaran Nagar,
Sholinganallur, Chennai - 600 119.

...Petitioner in WP No.36755 of 2005

2.Sri Balaji Cylinders Private Limited,
rep by its Director Abarajitha Manoharan,
41, MGR Salai, Pallavaram,
Chennai - 600 041.

...Petitioner in WP No.36756 of 2005

3.Sri Balaji Valves Private Limited,
rep by its Director Abarajitha Manoharan,
41, MGR Salai, Pallavaram,
Chennai - 600 041.

...Petitioner in WP No.36757 of 2005

4.Sri Srinivas Cylinders Private Limited,
rep by its Director Abarajitha Manoharan,
41, MGR Salai, Pallavaram,
Chennai - 600 041.

...Petitioner in WP No.36578 of 2005

...Vs...
सत्यमेव जयते

1.Union of India,
rep by the Ministry of
Petroleum and Natural Gas,
Shastri Bhavan,
New Delhi - 100 001.

2.Hindustan Petroleum Corporation Ltd.,
rep by its Senior Manager Equipment,
Planning and Procurement - LPG,
Hindustan Bhavan, No.8,
Shoorji Vallabhdas Mard,
Mumbai - 400 001.

3.Hindustan Petroleum Corporation Ltd.,
rep by its Manager, No.4, 4th Floor,
Thaamuthu Natarajan Building,
Gandhi-Irvin Road, Egmore,
Chennai - 600 008.

...Respondents in all the Petitions

COMMON PRAYER: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to open the petitioner's price bid and consider the same for finalizing awarding or placing orders under Tender No.5000007-HD-12001 dated 20.05.2005.

For Petitioners : Mr.V.Sankara Narayanan for
M/s.Sivam Sivanandraj
(in all the WPs)

For Respondents : Mr.M.Vijayan for
M/s.King and Patridge (for R.2 & 3)
(in all the WPs)

For R1 : No appearance

C O M M O N O R D E R

All the Writ Petitions pertain to a tender dated 10.12.2004 regarding Liquified Petroleum Gas (LPG) floated by Hindustan Petroleum Corporation Limited (HPCL).

2.Mr.V.Shankara Narayanan, who represents that he is attached to the Chambers of the counsel on record for the petitioners M/s.Sivam Sivanandaraj, on instructions, submits that all the Writ Petitions have become infructuous. This submission is recorded.

3.The aforesaid learned counsel further submits that Bank Guarantees were given by each of Writ Petitioners at the time of participating in the tender and prays for return of the same.

4.Mr.M.Vijayan, the learned counsel appearing for M/s.King and Patridge, appearing for M/s.HPCL submits that it is unlikely that they would be holding live Bank Guarantees at this distant point of time.

5.However, if there are any Bank Gurantees exist given by both or one of the four Writ Petitioners favouring HPCL, the same shall be duly canceled and returned to the Writ Petitioners.

6. Subject to the above observation, the Writ Petitions are disposed of as infructuous. No Costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrm

To

1. The Ministry of
Petroleum and Natural Gas,
Union of India,
Shastri Bhavan,
New Delhi - 100 001.

2. The Senior Manager Equipment,
Hindustan Petroleum Corporation Ltd.,
Planning and Procurement - LPG,
Hindustan Bhavan, No.8,
Shoorji Vallabhdas Mard,
Mumbai - 400 001.

3. The Manager,
Hindustan Petroleum Corporation Ltd.,
No.4, 4th Floor,
Thaamuthu Natarajan Building,
Gandhi-Irvin Road, Egmore,
Chennai - 600 008.

+1 cc to M/s.J.Sivanandaraaj, Advocate, S.R.No.87158

+4 ccs to M/s.King and Partridge, Advocate,
S.R.No.87701, 87699, 87700, 87698

KJ(CO)
SSM(21/01/2019)

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