

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.A.No.948 of 2010
and M.P.No.1 of 2010

Indian Immunologicals Limited

(A Wholly owned subsidiary of the National Dairy
Development Board) constituted under Central Act 1937

Door No.44 Jubilee Hills Road
Hyderabad 500 053

Rep. by the authorized signatory

C.B.Saravanan, Regional Incharge, Marketing ...Appellant

Vs

1.Tamil Nadu Medical Services Corporation Limited

417 Second Floor, Pantheon Road

Chennai 600 008 represented by its General Manager.

2.The Managing Director (Tender Inviting Authority)

Tamil Nadu Medical Services Corporate Limited

417 Second Floor, Pantheon Road, Chennai 600 008.

3.The Secretary of Government of Tamil Nadu

Health Department (Chairman of Tamil Nadu Medical
Services Corporation Limited) Fort St.George

Chennai 600 009.

4.Bharat Biotech International Limited

Genome Valley, Shameerpet, Hyderabad 500 078

represented by its Director.

5. Chiron Bhiring Waxing Private Limited

No.501 Shree Amba Shanthi Chambers

Andheri Korla Road, Andheri East

Mumbai 400 059 represented by its

Director

...Respondents

Prayer:- Writ Appeal filed under Clause 15 of Letter Patent Act,
to set aside the order passed by this Court in W.P.No.4858 of
2010 dated 30.04.2010.

WP.No. 4858 of 2010:Writ Petition filed under Article 226 of the
Constitution of India praying for a Writ of Certiorarified
Mandamus to call for the records relating to the communication of
the 1st respondents dt 25.2.2010 in reference No.001/M(P)/
TNMSC/DRUG/2009 and quash the same and direct the 1st and the

2nd respondent to consider the tender submitted by the petitioner with regard to the drug code number 579 Rabies Vaccine Human (Cell culture) IP (Intra muscular) on merits

For Appellant : Ms.Mathuvanthi Madhavan
for M/s G.R.Associates
For R1 to R3 : Mr.V.Anandhamurthy
Additional Government Pleader
For R4 : Mr.S.Ramesh

JUDGMENT

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.)

The learned counsel for the appellant made an endorsement indicating that she is withdrawing the intra court appeal, on account of the subsequent events relating to the expiry of the period prescribed under the tender.

2. The learned counsel submitted that the legal issue raised by the appellant should be reserved for decision in appropriate proceedings.

3. Since the very appeal has become infructuous on account of the efflux of time, we do not find any reason to take up the matter on merits.

The intra court appeal is dismissed as infructuous, pursuant to the endorsement made by the learned counsel for the appellant. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gms

To

1.The General Manager
Tamil Nadu Medical Services Corporation Limited
417 Second Floor, Pantheon Road
Chennai 600 008

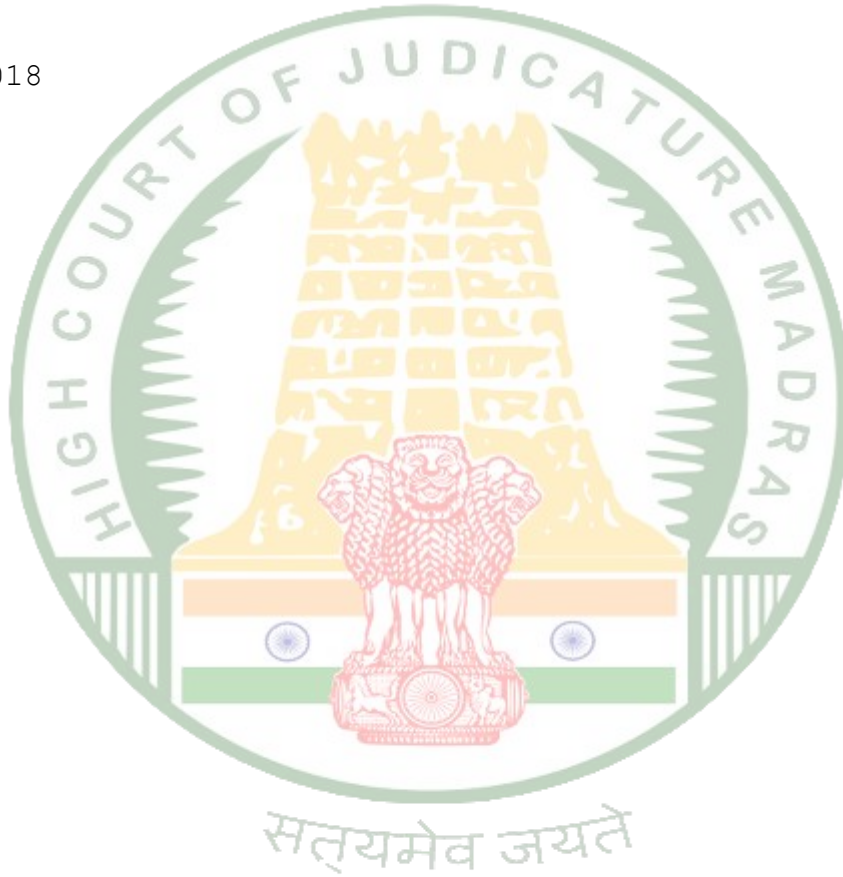
2.The Managing Director (Tender Inviting Authority)
Tamil Nadu Medical Services Corporate Limited
417 Second Floor, Pantheon Road, Chennai 600 008.

3.The Secretary of Government of Tamil Nadu
Health Department (Chairman of Tamil Nadu Medical
Services Corporation Limited) Fort St.George
Chennai 600 009.

+1 cc to the Govt Pleader High Court Madras
sr 8385

W.A.No.948 of 2010

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