

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.43779 of 2006

and

W.M.P.No. 1 of 2006

M/s.Unicure (India) Private Ltd., ...Petitioner

Vs.

Tamil Nadu Medical Services corporation Ltd.,
417, IInd Floor, Pantheon Road,
Egmore, Chennai-600 008.
Rep by its Managing Director.

...Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus to call for the records of the respondent herein relating to the proceedings in Ref.No.0306/TNMSC/Secy/2006 dated 03.08.2006 blacklisting the petitioner company and quash the same and direct the respondent herein to forthwith pay the petitioner the Earnest Money Deposit made by the petitioner.

For Petitioner : Mr.A.L.Ganthimathi

For Respondent : Mr.Shivakumar

O R D E R

The writ petitioner has challenged the proceeding in Ref.No.0306 TNMSC Secy 2006 dated 03.08.2006, wherein the petitioner has successful bidder for supply medicines to Tamil Nadu Medical Services Corporation Ltd.,

2.On a perusal of the impugned letter dated 17.07.2006, wherein the petitioner was informed that the Tamil Nadu Medical Services Corporation Ltd., would process the bills as per the terms of tender and informed the petitioner to execute agreement for which the petitioner insisted the respondent to give undertaking letter for making payment. However, the said request was rejected by the respondent by stating that every supply of the medicines will be governed by the terms of tender documents and the tender documents itself contain the terms of

payments and other rights in between the petitioner and the respondent.

3.However, the learned counsel for the petitioner would submit that since they continue to supply medicines to the Tamil Nadu Medical Services Corporation Ltd., as agreed by them and nothing survives in this writ petition for further adjudication.

4.Accordingly, this writ petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To.

The Managing Director,
Tamil Nadu Medical Services corporation Ltd.,
417, IInd Floor, Pantheon Road,
Egmore, Chennai-600 008.

+1cc to M/s.A.L.Ganthimathi, Advocate SR.No.38185
+1cc to Mr.S.Shivakumar & Suresh, Advocate Sr.No.38174

SVI (CO)
sm:27.5.2018

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सत्यमेव जयते

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