

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2018

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.39152 of 2016 &
W.M.P. No.33525 of 2016

Everwin Security Services Pvt. Ltd,
Rep. by its Managing Directing
C.Murugan

...Petitioner

Vs

- 1.The Chief Labour Commissioner (C),
Ministry of Labour and Employment,
Government of India,
No.5, Sham Nath Narg, D-Block,
New Delhi - 110 054.
- 2.The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi, Delhi - 110 016.
- 3.The Principal,
Kendriya Vidyalaya,
No.18, Dr.Natesan Salai,
Ashok Nagar, Chennai - 600 083.
- 4.M/s. 3 Star Detective and Securities Bureau
rep. by Mr.Ramachandran
No.60, IX Street, M Block,
Anna Nagar East, Chennai - 600 102.
- 5.M/s.Greenwich Enterprises,
No.35, I Floor, NGO Colony,
Adambakkam, Chennai - 600 088.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ or order or direction, particularly in the nature of writ of mandamus to direct the third respondent to award the contract of security service and housekeeping for the period from 01.11.2016 to

31.10.2017 to the petitioner, as the eligible bidder.

For Petitioner :Mr.R.Prabhakaran
For Respondents 1 & 2 :Mr.K.Ramanamoorthy
For Respondent 3 :Mr.Vaidyanathan

O R D E R

The relief sought for in this writ petition is for a direction to direct the third respondent to award contract of the security service and house keeping for the period from 01.11.2016 to 31.10.2017 to the writ petitioner.

2. The learned counsel for the writ petitioner states that they are continuing their services in the respondents organisation even beyond the period of 31.10.2017 and till today. The petitioner is performing their service. However, the relief sought for is to award contract till 31.10.2017.

3. The learned counsel appearing on behalf of the third respondent states that the period of contract had already expired and the writ petitioner is continuing only by virtue of an interim order granted by this Court.

4. Therefore, the respondents have to conduct a fresh tender as per rules and as per the guidelines issued by the Government, in this regard. On expiry of the period of contract, the respondents are bound to issue a new tender notice inviting the tenders from all the eligible persons including the petitioner. If the petitioner is otherwise qualified in accordance with rules in force, the case of the petitioner also is to be considered for the purpose of participating in the new tender. The process to be undertaken in accordance with the rules in force. In view of the fact that the period of contract had been expired on 31.10.2017, during the pendency of this writ petition, the writ petitioner is not entitled for any relief as such sought for in this writ petitioner.

5. Accordingly the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True copy//

Sub Assistant Registrar

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TO

1.The Chief Labour Commissioner (C),
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Government of India,
No.5, Sham Nath Narg, D-Block,
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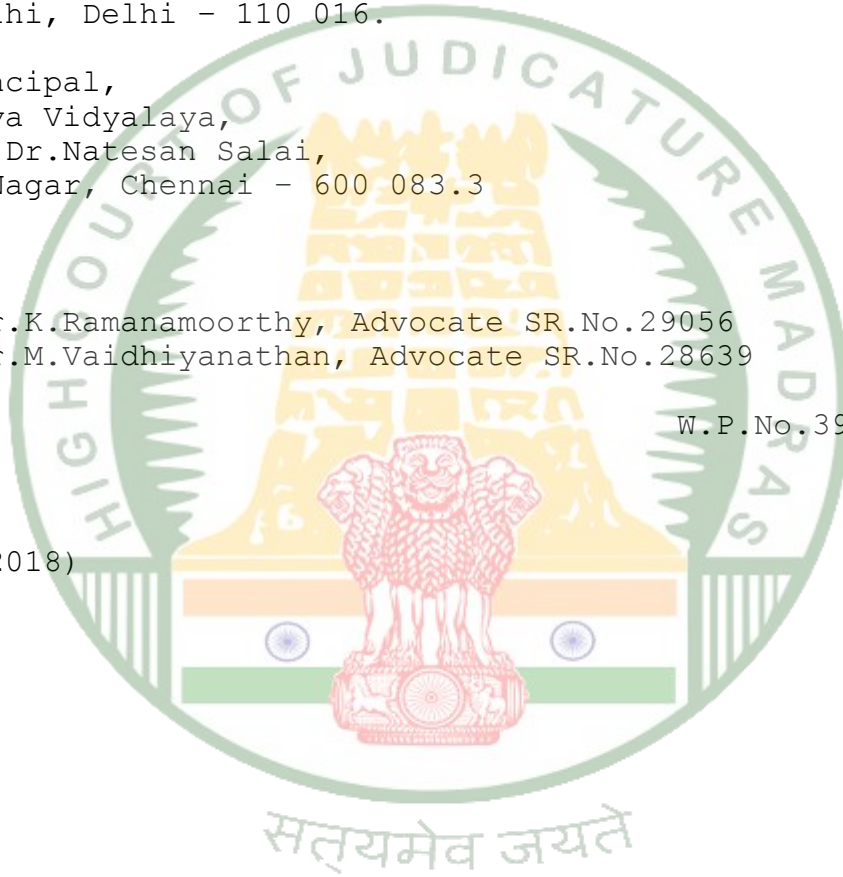
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Ashok Nagar, Chennai - 600 083.3

+1cc to Mr.K.Ramanamoorthy, Advocate SR.No.29056
+1cc to Mr.M.Vaidhiyanathan, Advocate SR.No.28639

W.P.No.39152 of 2016

KAN(CO)
GN(10/05/2018)



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