

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2019

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.3817 and 3819 of 2019
and W.M.P.Nos.4240, 4242 & 4243 of 2019

New Security Force,
rep. by their Partner V.Kamaraj
No.12, B.S.S. Complex, Trunk Road,
Rabi Nagar,
Thiruvanaikovil,
Trichy-5.

... Petitioner in both the W.Ps.

Vs.

Tamil Nadu Medicinal Plant Farms and Herbal
Medicine Corporation Limited
rep.by their Managing Director,
Anna Hospital Campus,
Arumbakkam,
Chennai - 600 106

...Respondent in both the W.Ps.

Prayer in W.P.No.3817 of 2019:
Writ petition filed under Article 226 of the Constitution of
India for issuance of a Writ of Certiorari to quash the
respondent's letter dated 31st January 2019 under
Ref.No.A.2686/Tam/Manpower/OT/2018.

Prayer in W.P.No.3819 of 2019:
Writ petition filed under Article 226 of the constitution
of India to issue a Writ of Certiorari to quash the tender
floated by the respondent under Ref.No.A1/0194/Tam/Manpower/HO
& Alfy/2019 dated Nil.

For Petitioner : Mr.V.R.Thangavelu
For Respondent : Mr.R.Govindasamy,
Special Government Pleader.

COMMON ORDER

W.P.No.3817 of 2019 is filed challenging the proceedings
dated 31.01.2019 issued by the respondent informing the
petitioner that the respondent Corporation has decided to lodge
the tender, which is the subject matter in the writ petition.

2. W.P.No.3819 of 2019 is filed challenging the proceedings dated Nil, wherein and whereby, tender was floated by the respondent.

3. Heard the learned counsel for the petitioner and perused the materials placed before this Court.

4. According to the petitioner, the respondent having floated the tender is not entitled to lodge the same and on the other hand, he has to either proceed with the tender process or withdraw the same. It is stated that the petitioner being the L1 is having every right to question the impugned action of the respondent. It is further contended that since the petitioner has already filed a writ petition in W.P.No.2997/2019 before this Court and sought for mandamus directing the respondent to issue the work order to the petitioner as he was declared as L1, the present impugned communication is issued by the respondent.

5. On giving my careful consideration to the submissions made by the learned counsel for the petitioner, I am not in a position to appreciate such contention on the sole reason that the petitioner, assuming to be the L1, is not entitled to question the right of the respondent in lodging the tender. Needless to say that the owner is entitled either to proceed with the tender process further or drop the same either by withdrawal or by lodging the tender. In this case, as the Corporation has decided to lodge the tender, the petitioner cannot have any grievance nor can have a right to seek that further process of the tender by the respondent should take place. No vested right is on the petitioner to seek such relief. It is stated by the learned counsel for the petitioner that fresh tender was already floated. If so, it is open to the petitioner to participate, provided they satisfy all the requirements.

6. Therefore, I find that these writ petitions are totally misconceived. Hence, both the writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

vsi

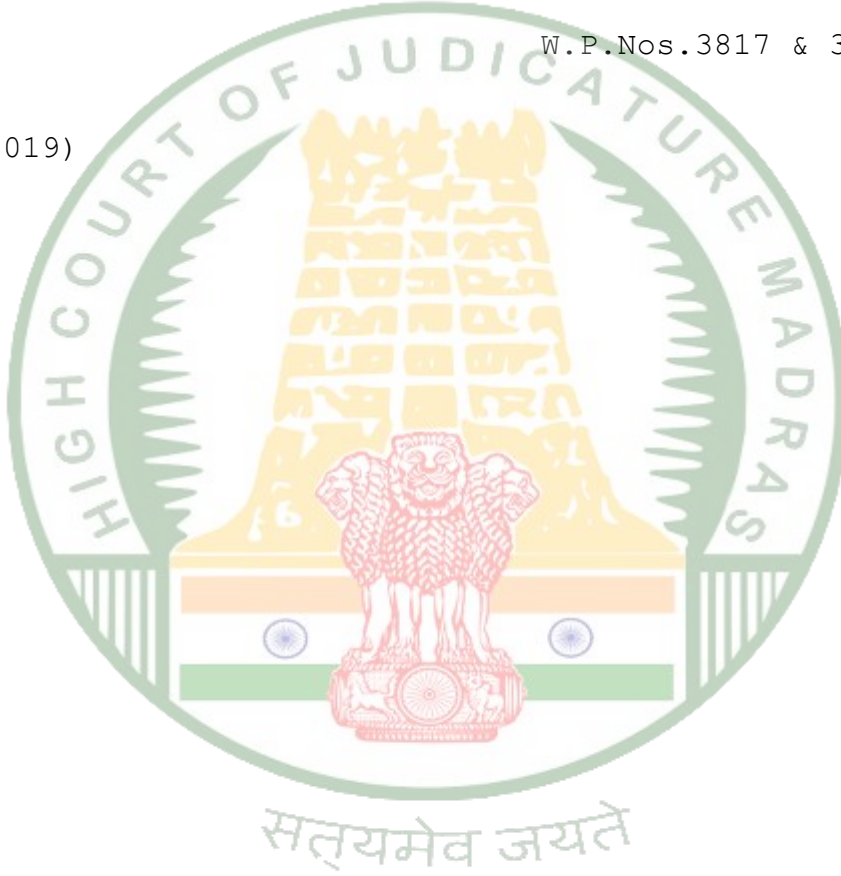
To

The Managing Director,
Tamil Nadu Medicinal Plant Farms and Herbal
Medicine Corporation Limited,
Anna Hospital Campus,
Arumbakkam,
Chennai - 600 106

+lcc to Mr.V.R.Thangavelu, Advocate, S.R.No.12158

W.P.Nos.3817 & 3819 of 2019

MR(CO)
GN(28/02/2019)



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