

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.12.2019

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.33862 of 2012

and

M.P.Nos.1 & 2 of 2012 & 1 of 2013

R.Lenin

...
Vs

Petitioner

1.The Government of Tamil Nadu
Rep.by Member Secretary to Government,
Highways and Minor Ports "HNI"
Department,
Fort St. George, Chennai-600 009.

2.The Superintending Engineer,
(Construction and Maintenance)
Highways Department,
Chennai Circle, Chennai.

3.The Chief Engineer,
(Construction and Maintenance)
Highways Department,
Chennai Circle, Chennai.

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for an issuance of a writ of Certiorarified Mandams or any other appropriate writ, order or direction in the nature of a Writ calling for the records of the 2nd respondent relating to Lr.No.TRP.No.98/Vol-28/2012-2013/D5, dated 06.12.2012 and quash the same and direct the respondents 1 - 3 to allow the petitioner to participate in the financial bid.

For Petitioner

: Mr.R.Kannan

For Respondent
Nos.1 to 3

: Mr.K.Ravi Kumar
Additional Govt. Pleader

ORDER

It is represented by the learned Additional Government Pleader for the respondents that the matter has now become infructuous, since subsequent to the filing of the writ petition, tender has been completed and the same has also been allotted to a successful bidder.

2.The learned counsel for the petitioner has also agreed with the submissions of the learned Additional Government Pleader for the respondents. However, he would submit that there is violation of tender conditions. According to him, the petitioner's tender was rejected by the competent authority on flimsy ground and therefore, he has a good case on merits. Since tender has already been finalised and contract has also been awarded to third parties, nothing survives for adjudication in this writ petition. However, liberty is granted to the petitioner to file a civil suit, if so advised, seeking for compensation from the respondents.

Recording the submissions, the writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sms

To

1.The Member Secretary to Government,
Government of Tamil Nadu
Highways and Minor Ports "HNI"
Department,
Fort St. George, Chennai-600 009.

2.The Superintending Engineer,
(Construction and Maintenance)
Highways Department,
Chennai Circle, Chennai.

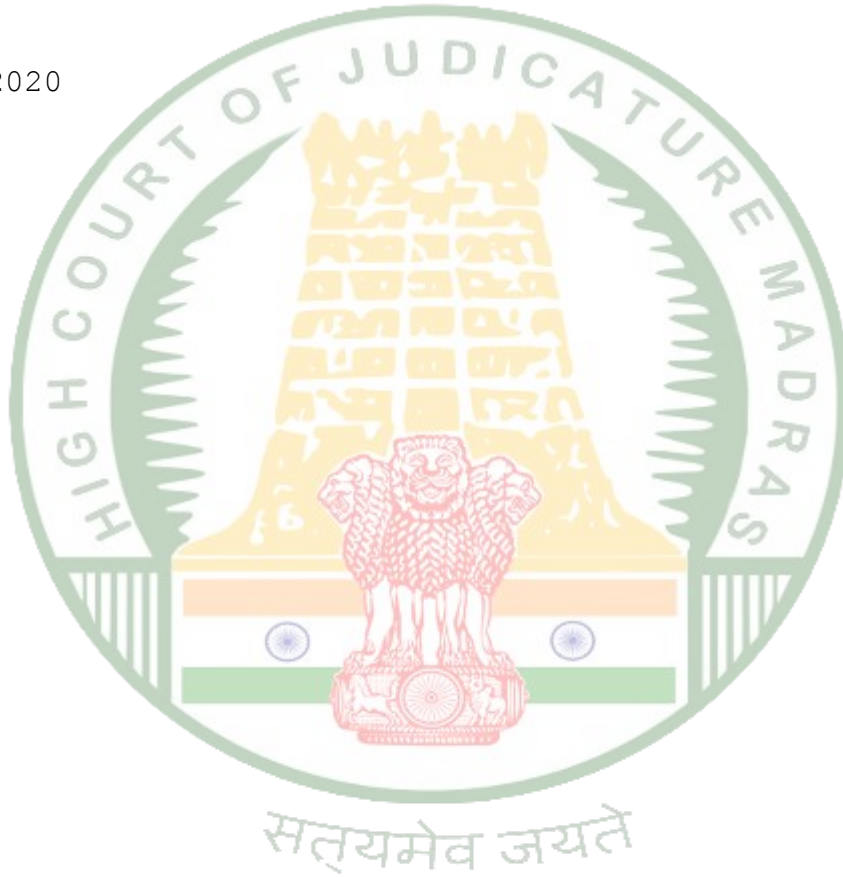
3.The Chief Engineer,
(Construction and Maintenance)
Highways Department,
Chennai Circle, Chennai.

+1cc to Mr.R.Kannan, Advocate sr.104324
+1cc to Government Pleader SR.NO. 104554

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vsnii(co)
nr 30/01/2020



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