

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2019

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Appeal No.1047 of 2016

M/s.Aarthi Transports,
Rep., by its Proprietor,
Mr.T.Marappan,
173, Kollapatti, Animoor Post,
Tiruchengode Taluk,
Namakkal District. ... Appellant/Petitioner

-vs-

- 1.The Government of Tamil Nadu,
Rep., by its Secretary to Government,
Department of Animal Husbandry,
3A, Pasumpon Muthuramalingam Salai,
Nandanam, Chennai.
- 2.The Managing Director,
The Tamil Nadu Co-operative Milk
Producers Federation Ltd.,
2, Pasumpon Muthuramalingam Salai,
Nandanam, Chennai.
- 3.The Tamil Nadu Co-operative Milk
Producers Federation Ltd.,
Rep., by its Joint Managing Director,
2, Pasumpon Muthuramalingam Salai,
Nandanam, Chennai. .. Respondents/Respondents

APPEAL under Clause 15 of the Amended Letters Patent to set aside the order dated 12.08.2016 passed in W.P.No.39386 of 2015.

Prayer in W.P.No.39386 of 2015:-

This Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the tender notification bearing Tender No. 3560/P1/2015/MKG.UNIT/2016-2018 on the file of the 3rd respondent and quash the same as illegal and the consequential orders.

For Appellant : Mr.Avinash
for Mr.V.Raghavachari

For Respondent-2 : Mr.R.Balaramesh

For Respondent-3 : Mr.L.P.Shanmugasundaram,
Special Government Pleader

JUDGMENT

(Delivered by T.S.Sivagnanam, J.)

Heard Mr.Avinash, learned counsel for the appellant; Mr.R.Balaramesh, learned counsel for the 2nd respondent; and Mr.L.P.Shanmugasundaram, learned Special Government Pleader for the 3rd respondent.

2.The learned counsel for the appellant has made an elaborate submission touching upon the merits of the matter and sought for indulgence to examine the correctness of the order passed in the writ petition.

3.Before we do so, we put a preliminary question as to whether anything survives in this appeal. This question was put by us to the learned counsel for the appellant on the ground that the period of the subject contract is for two years between 2016 and 2018.

4.The learned counsel for the appellant can have no answer to the question except to state that the period is already over. Therefore, in our considered view, the necessity to adjudicate the correctness of the order passed in the writ petition does not survive in this appeal, as the appeal has become infructuous.

5.Accordingly, this writ appeal stands dismissed as infructuous. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

abr

To

1.The Secretary to Government,
The Government of Tamil Nadu,
Department of Animal Husbandry,
3A, Pasumpon Muthuramalingam Salai,
Nandanam, Chennai.

2.The Managing Director,
The Tamil Nadu Co-operative Milk
Producers Federation Ltd.,
2, Pasumpon Muthuramalingam Salai,
Nandanam, Chennai.

3.The Joint Managing Director,
The Tamil Nadu Co-operative Milk
Producers Federation Ltd.,
2, Pasumpon Muthuramalingam Salai,
Nandanam, Chennai.

+1 cc to M/s.V.Raghavachari, Advocate Sr.No.35960

+1 cc to M/s.R.Balaramesh, Advocate Sr.No.35491

+1 cc to The Government Pleader, Sr.No.34997

W.A.No.1047 of 2016

RSI (CO)
CSL/13.05.2019



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