

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 12.06.2019

PRONOUNCED ON : 18.06.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.16128 of 2019 and
W.M.P.No.15877 of 2019

B.Ramesh

...Petitioner

Vs

1.The Government of Tamil Nadu,
Represented by the
Principal Secretary to the Government,
Department of Animal Husbandry,
Fort St. George,
Chennai - 600 009.

2.The Managing Director,
The Tamil Nadu Co-operative
Milk Producers' Federation Ltd.,
No.3, Pasumpon Muthuramalingam Salai,
Nandanam,
Chennai - 35.

3.The Tamil Nadu Co-operative
Milk Producers' Federation Ltd.,
Represented by its Joint Managing Director,
No.29-30, Ambattur Industrial Estate,
Korattur, Chennai - 600 098.

... Respondents

Prayer :- This Writ Petition is filed under Article 226 of the Constitution of India for a writ of certiorari calling for the records relating to the impugned tender No.450/MKG/P1/2019-2021, dated 06.03.2019 on the file of the third respondent and quash the same as illegal.

For petitioner : Mr.V.Ragavachari, for
Mr.S.Muthukumar

For 1st respondent : Mr.L.P.Shanmugasundaram,
Special Government Pleader

For respondents 2 & 3: Mr.Bala Ramesh,

Additional Government Pleader
ORDER

This writ petition is filed by an individual to quash the proceedings of the third respondent raising identical contentions by the Tamil Nadu Anna MGR Goods Transport Services Co-operative Society Limited, Chennai in W.P.No.14478 of 2019.

2.Since, peculiar apprehension has been raised by the learned counsel for the petitioner herein that, the tender submitted by the petitioner, as an individual, may not be considered by the respondents, for want of experience certificate from the society, in which, he was previously a member, this Court on 12.06.2019, has passed the following interim order:-

"Mr.L.P.Shanmugasundaram, Special Government Pleader and Mr.Bala Ramesh, Additional Government Pleader takes notice for the respondents 1 to 3.

2. When the matter came up for admission, the learned counsel appearing for the petitioner submit that the petitioner herein was erstwhile member of the Thiruvallur Goods Transport Service Industrial Co-operative Society Limited and he is eligible to participate in the tender floated by the 3rd respondent.

3. The Learned Counsel for the respondent submitted that as per the tender condition, if the petitioner is able to furnish experience certificate issued by the Society, that he was operating Transporting vehicle for the Society for more than 2 years, he will be eligible to participate in the tender.

4. The learned counsel appearing for the petitioner would submit that since the petitioner is not in good terms with the society, the Society will not give such certificate, but he will satisfy the respondents by producing documents that he was operating Transport vehicle for the TCMF Ltd., for more than 2 years within the past 5 years period. If any such document is submitted by the petitioner herein and satisfies the tender condition, the respondents herein shall accept his tender

bid and process the same."

3.This order is sufficient to annul the apprehension of the petitioner and no further order is required in this writ petition. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Government of Tamil Nadu,
Represented by the
Principal Secretary to the Government,
Department of Animal Husbandry,
Fort St. George,
Chennai - 600 009.

2.The Managing Director,
The Tamil Nadu Co-operative
Milk Producers' Federation Ltd.,
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Milk Producers' Federation Ltd.,
Represented by its Joint Managing Director,
No.29-30, Ambattur Industrial Estate,
Korattur, Chennai - 600 098.

+1cc to Mr.R.Balaramesh, Advocate, S.R.No.50039

+3ccs to S.Muthukumar, Advocate, S.R.No.49606

+1cc to the Spl.Government Pleader(Co Op), S.R.No.50092

PPA (CO)

RRS (05/07/2019)

W.P.No.16128 of 2019

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