

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :10.09.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.24296 of 2019

T. Saravanan

...Petitioner

vs

1. Registrar

Tender Inviting Authority
University of Madras
Chepauk, Chennai 600 005

2. The Syndicate

University of Madras
Rep. by Vice Chancellor
University of Madras, Chepauk, Chennai 600 005

3. Secretary to Government

Labour and Employment Department
Fort St. George, Secretariat
Chennai 600 009

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, or any other appropriate writ, order or direction in the nature of a writ to call for the records in the impugned tender document for supply of Man power dated 18.07.2019 on the file of the first respondent and quash column No.3 of item No.1 to 3 in paragraph 4 of the special conditions of the contract insofar as fixation of salary to category of employees and paragraph 7(f) relating to payment terms of the tender as arbitrary and against the minimum wages / salary per day guaranteed for livelihood of the category of employee mentioned in item No.1 to 3 and (ii) consequentially direct the respondents to incorporate appropriate wages structure for the category of employees mentioned in column No.3 of Item No.1 to 3 in paragraph 4 of the special conditions of the contract in the tender documents and pass orders.

For Petitioner : Mr. N.S.Nanda Kumar

For Respondents : Mr. L.P. Shanmuga Sundaram

O R D E R

The petitioner has filed this writ petition to call for the impugned tender notification dated 18.07.2019, to quash column No.3 of item No.1 to 3 in paragraph 4 of the special conditions of the contract insofar as fixation of salary to category of employees and paragraph 7(f) relating to payment terms of the tender as arbitrary and against the minimum wages / salary per day guaranteed for livelihood of the category of employee mentioned in item No.1 to 3.

2. This Court, by order dated 06.09.2019, granted interim injunction restraining the first respondent from opening the technical bid of tender document for supply of manpower.

3. The Learned Standing Counsel appearing for R1 would submit that pursuant to the interim order, the first respondent/university has decided to recall the impugned tender notification and decided to incorporate the above clauses as per letter No.F1(C)/Estt./2019/564 dated 05.09.2019 in forthcoming fresh tender notification.

4. In view of the above, as the impugned tender document itself is withdrawn by the university of Madras, nothing survives for further adjudication. Accordingly, this writ petition is disposed. However, liberty is granted to University of Madras to issue fresh notification in accordance with law. Consequently, WMP No.24056 of 2019 is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Copy to

1. Registrar
Tender Inviting Authority
University of Madras
Chepauk, Chennai 600 005

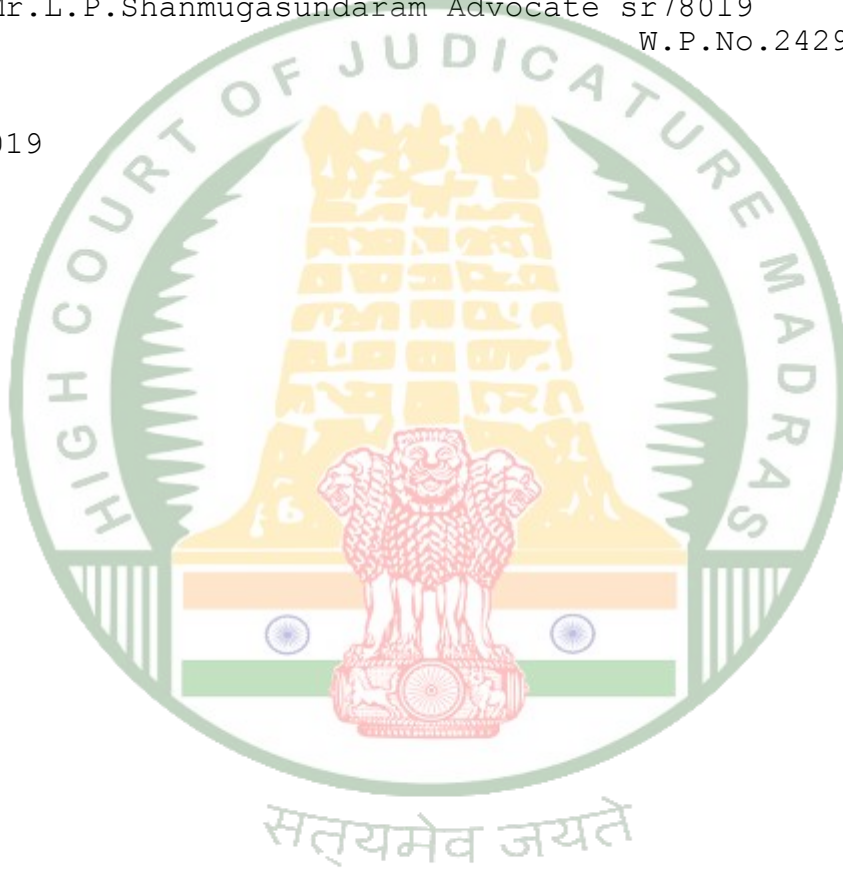
2. The Syndicate
University of Madras
Rep. by Vice Chancellor
University of Madras, Chepauk, Chennai 600 005

3. Secretary to Government
Labour and Employment Department
Fort St. George, Secretariat
Chennai 600 009

+1 cc to Mr.L.P.Shanmugasundaram Advocate sr78019

W.P.No.24296 of 2019

aa10/09/2019



WEB COPY