

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 30313 of 2019

and

W.M.P. Nos. 30300 & 30302 of 2019

E. Mohan,
Proprietor,
Sri Krishna Lorry Service,
SKLS Estate, 160, G.N.T. Road,
Sembulivaram, Sholavaram,
Chennai 600 067.

... Petitioner

-vs-

1. Madras Fertilisers Limited,
Rep. By its Deputy General Manager,
(Distribution and Sales),
Manali, Chennai 600 068.
2. Mr. K. Dhamodharan,
Proprietor,
SKLS Lorry Service,
1/40, Pullinline Village,
Redhills, Chennai 600 052.
3. Sincere Transport Corporation (F),
Rep. By its Partners Mr. Mahendran and M.S. Kani,
No. L5/ 76, T.N.H.B. Colony,
Malligai Street, Shanthi Nagar,
Sector - IV, Madurai 625 018.
4. Surat Goods Transport Pvt. Ltd.,
Rep. By its Assistant General Manager,
Mr. Jilesh T.K.
47, Viraj Impex House, PD Mello Road,
Mumbai 400 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to proceed further with respect to E-Tender Notification No. ESER/M&D/RTC/270819/010 dated 07.08.2019 issued by the First Respondent with respect to Group 1, 2, and 3 after re-drawing the available technically qualified tenderers and thereafter call for reverse auction in respect of each of the 3 groups and award the contract subject matter of E-tender Notification No. ESER/M&D/RTC/270819/010 dated 07.08.2019 issued by the First Respondent strictly in accordance with the tender terms.

For Petitioner : Mr. Rahul Balaji

For Respondents: Mr. Jayesh B. Dolia, (For R1)
for M/s. Aiyar & Dolia

Service awaited (For R2 to R4)

O R D E R

Heard Mr. Rahul Balaji, Learned Counsel for the Petitioner and Mr. Jayesh B. Dolia, of M/s. Aiyar & Dolia, Learned Counsel for the First Respondent and perused the materials available on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for a direction to the First Respondent to proceed further with respect to E-Tender Notification No. ESER/M&D/RTC/270819/010 dated 07.08.2019 issued by the First Respondent with respect to Group 1, 2, and 3 after re-drawing the available technically qualified tenderers and thereafter call for reverse auction in respect of each of the 3 groups and award the contract subject matter of E-tender Notification No. ESER/M&D/RTC/ 270819/010 dated 07.08.2019 issued by the First Respondent strictly in accordance with the tender terms.

3. Learned Counsel for the First Respondent has filed a memo dated 04.11.2019 stating that since the Second Respondent, viz., K. Dhamodharan, Sole Proprietor of M/s. SKLS Lorry Service, has expired, the First Respondent had decided to cancel the impugned tender process in which the Second Respondent was R1 and L1 (Group 1 and 3 only), which is placed on record. Nothing remains for further consideration in the matter.

4. Recording the aforesaid subsequent events, the Writ Petition stands disposed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

+1 cc to M/s.Aiyar & Dolia, Advocate sr92310

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W.P. No. 30313 of 2019