



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

WP(MD).No. 20899 of 2019

WEB COPY

G. Radha

: Petitioner

Vs.

1. The Managing Director,
TNSTC (Madurai) Ltd.,
Bye-Pass Road, Madurai - 625 010.

2. The General Manager,
TNSTC (Madurai) Ltd.,
Bye-Pass Road, Madurai - 625 010.

: Respondent

Prayer: This Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the second respondent to extend the contract period from minimum six months to one year from 30.09.2019 onwards based on her representation dated 13.09.2019.

For Petitioner : Mr. B. Ravindran
For Respondents : Mr. Sethil Kumaraiah
Standing Counsel

O R D E R

This Writ Petition has been filed for issuing a direction to the second respondent to extend the contract period from minimum six months to one year from 30.09.2019 onwards, based on the petitioner's representation, dated 13.09.2019.

2. The petitioner was given the contract for supply of goods by the second respondent. The contract period expired by 31st August 2019. However, it was extended for a period from 01.09.2019 to 30.09.2019. In the meanwhile, the tender was called for the above said contract, in which, the petitioner had also participated. However, one Prakash Kumar was declared as a successful bidder for executing the contract. The petitioner made a representation to the respondents to extend the contract period from minimum six months to one year from 30.09.2019, upto which period, the contract issued to the present successful bidder also can be extended.

3. The learned Standing counsel appearing for the respondents would submit that since the contract is awarded to one Prakash Kumar from October 2019 to October 2020, there is no possibility of extending the same.



4. I have heard the submissions made by the learned counsel appearing on either side.

5. It is no doubt that the petitioner has also participated in the subsequent tender for the period 2019-2020. She was not successful in the tender. Now, the petitioner has given a proposal to the respondents, for extending the contract period from minimum 6 months to one year and the said Prakash Kumar could be given contract for the subsequent period. I do not find any merit in the contention of the petitioner.

6. When the petitioner has not alleged any illegality or irregularity in the process and issuance of the tender, she cannot ask for extension of contract beyond the contract period. Furthermore, if the period is extended, that will adversely affect the successful bidder, for his quotation must have been based on present day Consumer Price Index. Hence, I find no merit to consider the case of the petitioner.

7. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Managing Director,
TNSTC (Madurai) Ltd.,
Bye-Pass Road, Madurai - 625 010.

2. The General Manager,
TNSTC (Madurai) ltd.,
Bye-Pass Road, Madurai - 625 010.

+1 CC to Mr.J.SENTHIL KUMARAIAH, Advocate (SR-90072[F] dated 27/09/2019)

WP(MD).No. 20899 of 2019
27.09.2019

TRP

MK (07.11.2019) 2P 4C