

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.812 of 2020

M/s.Unique Builders
Rep. By its Partner
Mr.N.Sreenivasan

.. Petitioner

..Vs..

1. The General Manager,
Southern Railway,
Head Quarters' Office,
Park Town, Chennai -3.
2. The Principal Chief Engineer,
Southern Railway,
Head Quarters' Office,
Park Town, Chennai -3.
3. The Additional Divisional Railway Manager-II,
Chennai Division,
Southern Railway,
Head Quarters' Office,
Park Town, Chennai -3.

..Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to dispose off the petitioner's representation dated 04.01.2020 pertaining to the respondents' Tender No.MAS190F19269 BRI.

For Petitioner : MR.Amalaraj.S.Penikilapatti

For Respondents : Mr.P.T.Ramkumar

ORDER

This writ petition had been filed in the nature of mandamus, directing the respondents to dispose of the representation of the petitioner dated 04.01.2020 in relation with the Tender No.MAS190F19269 BRI of the respondents.

2. The petitioner claims to be the longstanding reputed contractor of the Indian Railway. It is stated that in Tender No.MAS190F19269 BRI, the petitioner was participated in the open tender. The petitioner had given representation in this regard. I am not specifically going into the merits of the case, since today a counter affidavit has been filed by the Chief Project Manager (upgraded from Senior Divisional Engineer-Co-ordination), Southern Railway, Chennai Division, in which the official has stated as follows:

"4. I submit that, tender accepting authority recommended to discharge the tender on 27.12.2019 and advised to call for fresh tender citing certain technical reasons. In view of the recommendation made by tender accepting authority, the tender notification No.MAS190F19269 BRI has already been discharged on 27.12.2019. Hence, the relief sought by the petitioner in his representation dated 04.01.2020 cannot be considered in this writ petition."

3. Recording the said statement, I hold that the representation of the petitioner cannot be considered at this stage, since the Tender notification has been discharged on 27.12.2019 itself.

4. In view of the above, nothing survives for further adjudication in the writ petition. Accordingly, this writ petition is disposed of with the following observation. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

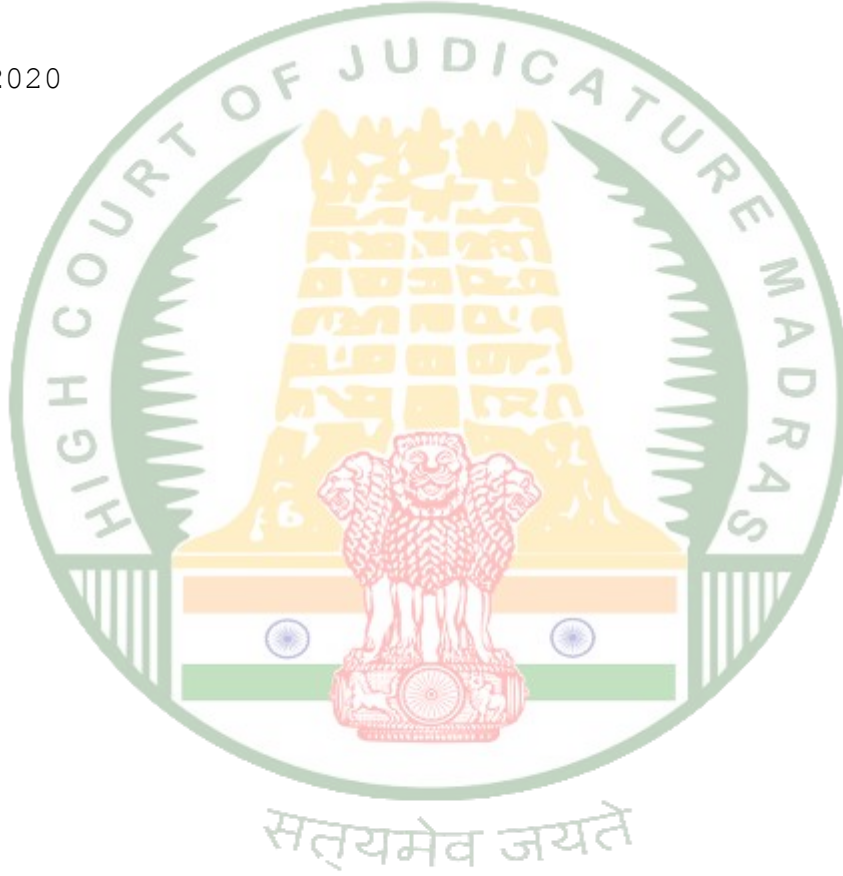
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+1cc to Mr.P.T.Ramkumar, Advocate sr.6413

W.P.No.812 of 2020

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