

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

C.R.P.(PD) No.4792 of 2011

and

M.P.No.1 of 2012

Convener
Sizing Committee,
Handlooms and Textiles
Assistant Director's office,
426, Bhavani Main Road,
Asokapuram, Erode and Erode Taluk,
Erode District.

...Petitioner

..Vs..

M/s.Jeyamurugan Sizing Mills,
By its Managing Partner Mr.S.K.Gopu

...Respondent

PRAYER: Civil Revision Petition filed under Section 227 of the Constitution of India, against the fair and decreetal order in I.A.No.909 of 2011 in O.S.No.540 of 2011 on the file of the I Additional District Munsif Court, Erode.

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For Petitioner : Mr.E.Sampathkumar

For Respondent : Mr.V.Raghavachari

ORDER

The petitioner/defendant in the suit is the Revision Petitioner herein.

2. The respondent herein has filed O.S.No.540 of 2011 challenging the tender floating by the defendant and for injunction restraining the defendant from confirming the tender in favour of any person for the year 2011.

3. Pending suit, I.A.No.909 of 2011 has filed after filing the counter. By an order dated 10.11.2011, the injunction was granted against the defendant not to process or allot the tender as scrutinized by the defendant and hence, aggrieved over the same, this Civil Revision Petition is filed under Article 227 Constitution of India.

4. Heard Mr.E.Sampathkumar, learned counsel for the petitioner and Mr.V.Raghavachari, learned counsel for the respondent.

5. It is seen from the records that the subject matter of the suit relating to allotment of tender for making of free dhoties and sarees to be given by the Government of Tamil Nadu during the period of Pongal. In this connection, on 26.08.2011, tenders have been floated, process has been commenced and completed after satisfying the technical bid and revenue bid. At this juncture, the suit is filed seeking irregularities and injunction was granted.

6. At the time of admission of C.R.P, M.P.No.1 of 2011 suspension of injunction order has been granted and the same is still in force. In view of the passage of time, I do not find that the prayer in suit itself survives. Since it is the tender for the year 2011, the prayer in the suit has becomes infructuous.

7. Accordingly, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

06.02.2020

nvi

Index:Yes/No

Speaking Order:Yes/No

To

The I Additional District Munsif Court, Erode.

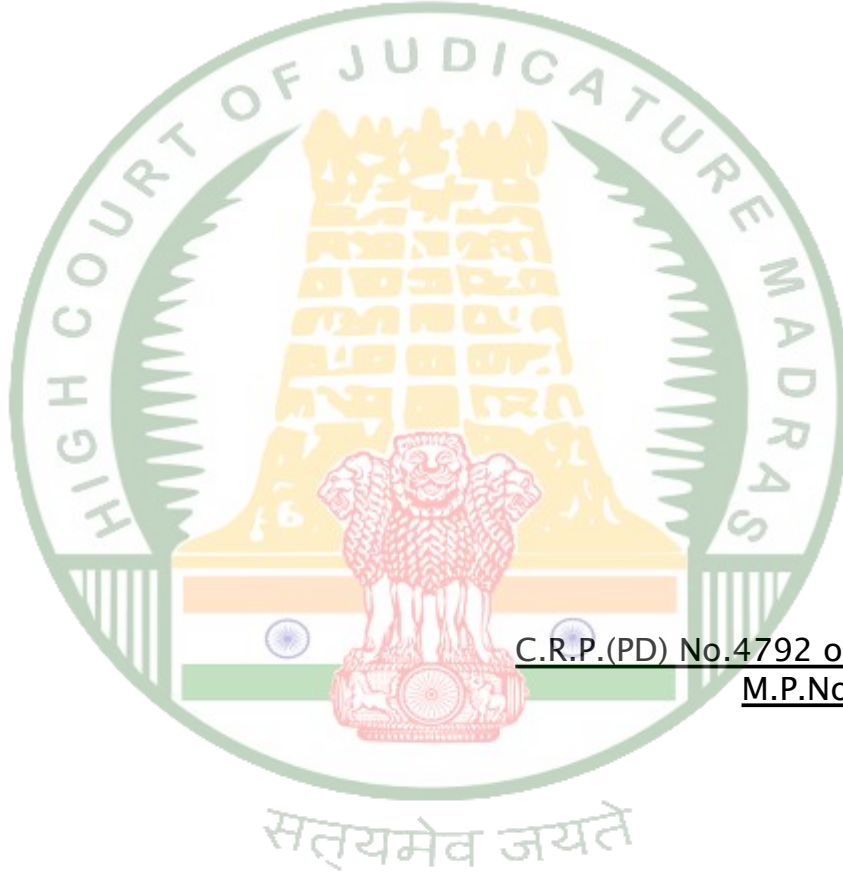


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C.R.P.(PD) No.4792 of 2011

RMT.TEEKAA RAMAN,J.,

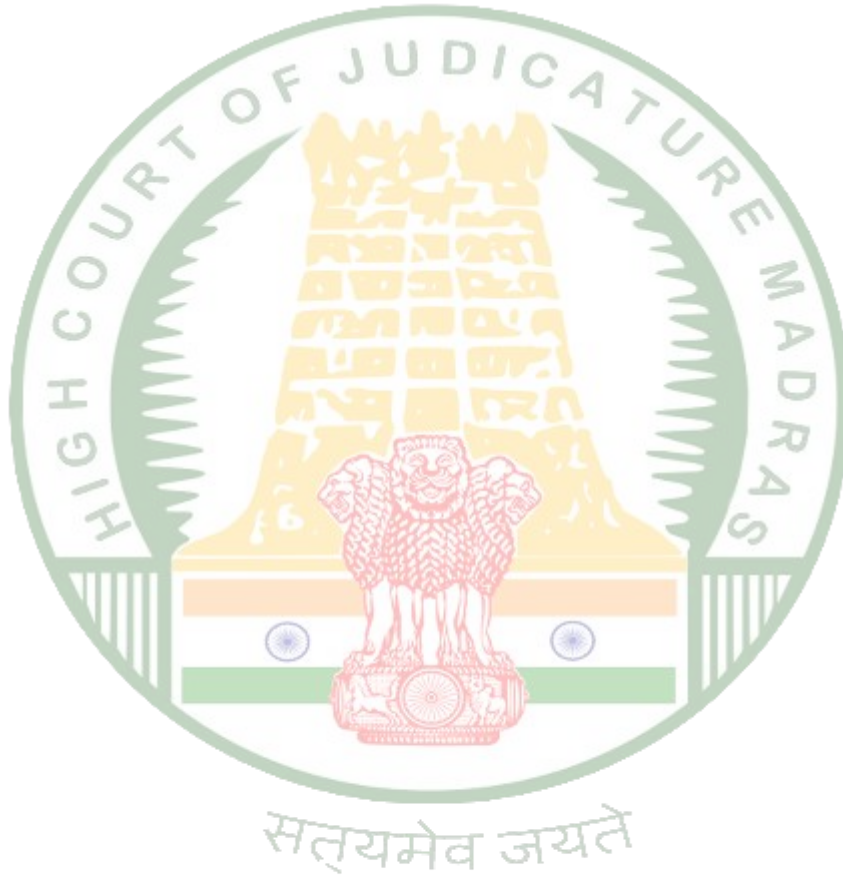
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