

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 03.08.2020
CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.NO.10163 OF 2020
AND
W.M.P.NO.12360 OF 2020

Sri Dhanalakshmi Spinntex Private Limited
S.F.No.226/3, NH-7, Avinashi Road
Karumathampatti
Coimbatore - 641 659.

...Petitioner

Vs.

The Joint Director (Uniforms)/Tender Inviting Authority
Department of Handlooms and Textiles
Government of Tamil Nadu
Kuralagam, IInd Floor
Chennai-600 108.

....Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to extend the last date of submitting the tender dated 02.07.2020 with Ref.No.FDS-2021/DC/001 to a suitable time period subject to the lockdown restrictions enforced by the Government of Tamil Nadu in the State.

For Petitioner : Mr.M.V.Swaroop
For Respondent : Mrs.Narmadha Sampath,
Additional Advocate General
assisted by Mr.K.Govindasamy,
Special Government Pleader

सत्यमेव जयते
O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. Heard the learned counsel for the petitioner.

3. The petitioner seeks for a mandamus directing the respondent to extend the last date for submitting the tender dated 02.07.2020 with Ref.No.FDS-2021/DC/001 to a suitable time period subject to the lockdown restrictions enforced by the Government of Tamil Nadu in the State.

4. According to the petitioner, they were not in a position

to submit the tender to the tender inviting authority due to the lock down restrictions enforced by the Government of Tamil Nadu and therefore, the last date for submitting the tender has to be extended. The further contention of the petitioner is that when that when they applied for e-pass for submitting tender, the same was rejected. Therefore, it is contended that unless the time for submitting the tender is extended, the petitioner will be greatly prejudiced.

5. I do not think that the petitioner is justified in making the present prayer for extension of time without challenging the rejection order for e-pass. It is a matter of fact that the Government of Tamil Nadu has already issued circulars that the parties who are willing to take part in the tender will be provided e-pass. Therefore, if the petitioner's application for e-pass was rejected, that rejection order ought to have been challenged by the petitioner immediately. Without doing so, the petitioner has come forward with the present writ petition seeking for extension of time by stating the lock down restrictions.

6. I have considered similar request in other matters viz., W.P.No.9209/2020 dated 14.07.2020 and W.P.No.9887/2020 dated 29.07.2020 and rejected the prayer. Accordingly, I find no merits to entertain in this writ petition. Hence, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsi/mk

To

The Joint Director (Uniforms)/Tender Inviting Authority
Department of Handlooms and Textiles
Government of Tamil Nadu, Kuralagam, IInd Floor
Chennai-600 108.

+1cc to Mr.M.V.Swaroop, Advocate, S.R.No.25905

W.P.No.10163 of 2020

SR(CO)
CS/12/08/2020