



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 06.03.2020**

**CORAM**

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

W.P. (MD)No. 11339 of 2019  
and  
W.M.P. (MD)No.8642 of 2019

The President  
Nagercoil Local Lorry Owners Association,  
Ananthaimadam Lorry Stand  
Hindu College Road, Kottar  
Nagercoil-6290 02  
Kanyakumari District.

... Petitioner

Vs.

1.The General Manager,  
Tamil Nadu Civil Supplies Corporation  
12, Thambusamy Road, Kilpauk,  
Chennai-600 010.

2.The Regional Manger,  
Tamil Nadu Civil Supplies Corporation,  
Kanyakumari Region, Konam  
Nagercoil, Kanyakumari District.

3.The Proprietor,  
SMT Transport,  
No.92 A, Porkudam Nagar,  
Paravai Extension,  
Madurai-625 402.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, to direct the respondents 1 to 2 to cancel the contract between themselves and the third respondent for the period from 01.09.2018 to 31.08.2019 in view of non-compliance of terms and conditions stipulated in Tender Notification.

For Petitioner : Mr. S.Xavier Rajini

For Respondents : Mr. R.Vijaya Kumar

**O R D E R**

When the matter is taken up for hearing, Learned Counsel for the Petitioner submits that the relief sought in the Writ Petition



has become infructuous and he has made an endorsement to that effect, which is recorded. It is made clear that since no adjudication has been made by the Court on the merits of the controversy between the parties, all issues in that regard are left open to be decided, if such necessity arises, in future legal proceedings.

2. Accordingly, the Writ Petition is dismissed as infructuous with the aforesaid clarification. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-  
Assistant Registrar(AD-II)

/TRUE COPY/

/ /2020  
Sub Assistant Registrar

TO

1.The General Manager,  
Tamil Nadu Civil Supplies Corporation  
12, Thambusamy Road, Kilpauk,  
Chennai-600 010.

2.The Regional Manger,  
Tamil Nadu Civil Supplies Corporation,  
Kanyakumari Region, Konam  
Nagercoil, Kanyakumari District.

+1. C.C. to M/S.S.Xavier Rajini, Advocate SR.No. 10659

+1. C.C. to M/S.R.Vijaya Kumar, Advocate SR.No. 10447

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CP  
JM/12.05.2020/2P/5C