

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.NO.6150 OF 2021

AND

W.M.P.NOS.6767 & 6768 OF 2021

Megawin Switchgear Private Limited,
rep. By its Managing Director,
Perumal Malai Adivaaram,
Alagapuram Post, Salem - 636 004.

...Petitioner

Vs.

1. The Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO),
Rep. By its Chairman, NPKRR Maaligai,
Electricity Avenue, 144, Anna Salai,
Chennai - 600 002.
2. The Director - Distribution Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO)
NPKRR Maaligai, Electricity Avenue,
144, Anna Salai, Chennai - 600 002.
3. The Chief Engineer / Materials Management,
TANGEDCO, IV Floor, Western Wing,
NPKRR Maaligai, Electricity Avenue,
144, Anna Salai, Chennai - 600 002.
4. M/s. C.G.Power and Industrial Solutions Ltd.,
(Formerly M/s. Crompton Greaves Limited)
No.3, Dr.M.G.R.Salai, Nungambakkam,
Chennai - 600 034.

..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, calling for the entire records relating to E-Tender specification No.M.17/2020-21 on the file of the 3rd respondent, quash the same and further direct the 3rd respondent to call for a fresh tender for the supply of 33KV, Single Bus, 25KV, 1250 Amps Indoor Vacuum Circuit Breaker Panels afresh and complete the tender process by strictly adhering to the provisions of Tamil Nadu Transparency in Tenders Act, 1998 and Tamil Nadu Transparency in Tender Rules, 2000.

For Petitioner : Mr.D.Shivakumaran
For Respondents : Mr.N.Damodaran,GA

O R D E R

The petitioner, who has participated in the tender floated by the TANGEDCO has filed this writ petition, challenging the tender in E-tender Specification No.M17/2020-21 on the file of the 3rd respondent.

2. The TANGEDCO floated E-tender for supply of 33KV, Single Bus, 25KV, 1250 Amps Indoor Vacuum Circuit Breaker Panels under Tender Specification No.M.17/2020-21. The last date for submitting the tender has been fixed as on or before 08.09.2020 and tenders were opened on 09.09.2020 and the petitioner's tender appears to be rejected by the respondents on the ground, as if the petitioner has not submitted IP4X for HV Compartment and 2000A Temperature rise for Busbar. According to the learned counsel for the petitioner, the above said relevant test reports were already uploaded by the petitioner but without cross checking the same, the respondents have rejected the petitioner's bid for favouring the 4th respondent. He would further submit that the 4th respondent was not awarded any contract however, work orders were issued in the name of the 4th respondent.

3. It appears that the petitioner has participated in the tender floated by the respondents and the respondents has also rejected the petitioner's bid against which the petitioner is having a remedy of appeal as per Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998 but without filing an appeal, the petitioner has filed this writ petition.

4. This Court, without expressing anything on the merits of the writ petition, dismissed this writ petition with liberty to the petitioner to file an appeal before the appropriate Appellate Authority as against the order of rejection of the bid within a period of two weeks from the date of receipt of a copy of this order, if he so advised. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

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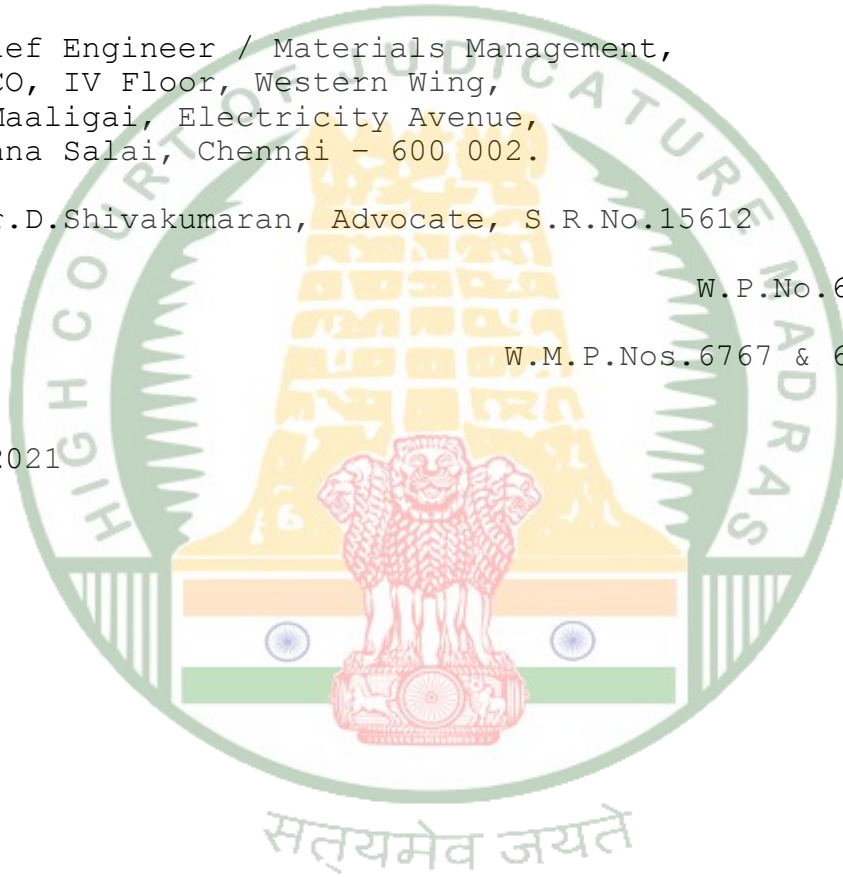
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+1cc to Mr.D.Shivakumaran, Advocate, S.R.No.15612

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SKY (CO)
CS/08/04/2021



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