

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.03.2021

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.NO.6979 OF 2021

AND

W.M.P.NOS. 7528, 7530, 7532 & 7534 OF 2021

1. M/s. Conductor Manufacturers' Association of Tamil Nadu, represented by its President, Mr.A.V,Seshakumar Reddy, 61 TTK Road, 2nd Floor, Alwarpet, Chennai - 600 018.
 2. M/s. Sridhara electroteck, represented by its Partner, Mr.K.Bhaskaran, Plot No.158, EE Industrial Estate, OMR, Perungudi, Chennai - 600 096.Petitioners
- vs.
1. The State of Tamil Nadu, rep, by its Additional Chief Secretary, Department of Finance, Secretariat, Fort St.George, Chennai - 600 009.
 2. The State of Tamil Nadu, rep. By is Secretary, Department of Energy, Secretariat, Fort St.George, Chennai - 600 009.
 3. The State of Tamil Nadu, rep. By its Secretary, Department of Micro, Small, Medium Enterprises, Secretariat, Fort St.George, Chennai - 600 009.

4. The State of Tamil Nadu,
rep. By its Secretary, '
Department of Finance
(Bureau of Public Enterprises),
Secretariat,
Fort St.George,
Chennai - 600 009.
5. M/s. Tamil Nadu Generation and Distribution
Corporation Ltd., rep. By its Chairman
cum Managing Director,
NO. 144, Anna Salai,
Chennai - 600 002.
6. The Chief Engineer,
Office of the Chief Engineer (Materials Management),
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for records of the letter bearing number Lr.No.CE/MM/SE/MM-I/EEC/A7/F.Specn.M33/ 2020-21/D.30/2021 dated 23.02.2021 issued by 6th respondent, refusing to provide exclusive reservation to the members of the 1st petitioner including the 2nd petitioner for procurement of ACSR Conductors upto 19 strands, culminating in the issuance of the Tender notification by 6th Respondent bearing Specification No.M.47/2020-21 due on 30.03.2021, inviting tenders through e-tendering for supply of 7/4.09 MM ACSR Raccoon Conductor, without providing exclusive reservation to the members of the 1st petitioner including the 2nd petitioner and quash the same and consequently, directing the respondents to henceforth procure ACSR Conductors upto 19 strands inconformity with the Government Order bearing G.O.Ms.No.195 dated 04.05.1998 issued by the Finance (Bureau of Public Enterprises) Department, the 4th respondent herein.

For Petitioner	...	Mr.N.L.Rajah, Senior Counsel for Mr.K.R.Arun Shabari
For Respondents	...	Mr.P.S.Sivashanmugasundaram, Special Government Pleader for R1 to R4 Mr.V.Anil Kumar, Standing Counsel for R5 & R6

ORDER

When the matter is taken up for hearing, Mr.N.L.Rajah, learned Senior counsel appearing for the petitioners submitted that a request was made by the petitioners before the 5th respondent and the 5th respondent, in response to the request made on behalf of the petitioners, has agreed to consider the issues raised by the petitioners. He would further submit that in furtherance of the meeting, a Corrigendum was also issued by the 6th respondent on 25.03.2021, postponing the due date for opening of the tender in Tender Notification issued by the 6th respondent bearing Specification No. M.47/2020-21 from 30.03.2021 to 29.04.2021.

2. In view of these developments that the request of the petitioners is under consideration of the respondents, the learned Senior Counsel would submit that the writ petition may be dismissed as withdrawn.

3. Accordingly, the Writ Petition is dismissed as withdrawn, reserving the rights of the petitioners to proceed with in the manner known to law, if the petitioners are aggrieved by any other subsequent proceedings. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Secretary,
The State of Tamil Nadu,
Department of Energy,
Secretariat,
Fort St.George,
Chennai - 600 009.
2. The Additional Chief Secretary,
The State of Tamil Nadu,
Department of Finance,
Secretariat, Fort St.George, Chennai - 600 009.

3. The Secretary,
The State of Tamil Nadu,
Department of Micro, Small, Medium
Enterprises,
Secretariat,
Fort St.George,
Chennai - 600 009.
4. The Secretary,
The State of Tamil Nadu,
Department of Finance
(Bureau of Public Enterprises),
Secretariat,
Fort St.George,
Chennai - 600 009.
5. The Chairman
M/s. Tamil Nadu Generation and Distribution
cum Managing Director,
NO. 144, Anna Salai,
Chennai - 600 002.
6. The Chief Engineer,
Office of the Chief Engineer (Materials Management),
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai - 600 002.

W.P.No.6979 of 2021

AD(CO)
KKV/06/02/2021

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