



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.7638 of 2017

and

W.M.P.Nos.8343 & 8344 of 2017

M.R.S.Saraswathi Transport
Rep. by its Proprietor
Mr.P.Murali Krishnan
Old No.2, New No.3,
Nallanna Mudali Lane,
Royapettah, chennai - 600 014.

... Petitioner

Versus

1. Indian Oil Corporation Limited
G-9, Ali Yavar Jung Marg,
Bandra (E), Mumbai - 400 051.
2. Indian Oil Corporation Ltd (M.D.)
(Regional Contract Cell)
139 Nungambakkam High Road,
Chennai 600 034.
3. Jupiter Enterprises
Plot No.2, Door No.6,
Abirami Avenue First Street,
Kannadasan Nagar, Chennai - 600 118.
4. Golden Roadways,
No.1/6, Abirami Avenue First Street,
Kannadasan Nagar, Chennai - 600 118.
5. Dolphin Logistics
Plot No.1, Door No.6, Abirami Avenue
Kannadasan Nagar, Chennai - 600 118.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, forbearing the respondents 1 and 2 not to award tender in Tender No.RCC/SR/PT/50/TNSO/16-17 before evaluating and finalizing the



price of the bid as prescribed under the Tamil Nadu Transparency in Tender Act, 1998 & Tamil Nadu Transparency in Tenders Rules 2000 and direct the respondents 1 and 2 to invite the petitioner for negotiation of the bid price before awarding tender.

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For Petitioner : Mr.A.Swaminathan
For R1 & R2 : Mr.V.Anantha Natarajan
For R3 to R5 : No Appearance

O R D E R

The writ petition has been filed, for the issuance of Writ of Mandamus, forbearing the respondents 1 and 2 not to award tender in Tender No.RCC/SR/PT/50/TNSO/16-17 before evaluating and finalizing the price of the bid as prescribed under the Tamil Nadu Transparency in Tender Act, 1998 & Tamil Nadu Transparency in Tenders Rules 2000 and direct the respondents 1 and 2 to invite the petitioner for negotiation of the bid price before awarding tender.

2.The learned counsel for the petitioner submitted that, he has not received any instructions from his client and therefore, he could not assist the Court in this subject matter.

3.On the other hand, the learned counsel appearing for the respondents 1 and 2 submitted that, the tender was already finalized. It was awarded to the respondents 3 to 5, for the period of three years with two years extension and by the time, the work itself would have been completed and that might be the reason why the petitioner does not shows any interest to prosecute the case.

4.Though the leaned counsel appearing for the respondent 1 and 2 submitted that the tender was awarded to the respondents 3 to 5 and the work would have been completed by the time, since the petitioner counsel submits that he has no instruction from his client, this Writ Petition is dismissed for non-prosecution. No costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

rst



To:

1. The Indian Oil Corporation Limited
G-9, Ali Yavar Jung Marg,
Bandra (E), Mumbai - 400 051.
2. The Indian Oil Corporation Ltd (M.D.)
(Regional Contract Cell)
139 Nungambakkam High Road,
Chennai 600 034.

+1cc to Mr.V.Anantha Natarajan, Advocate, S.R.No.64724

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NMI (CO)
SU(30/12/2021)