



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2021

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The Honourable Mr. Justice Krishnan Ramasamy

W.P.No.26216 of 2018
and
W.M.P.No.30433 of 2018

Sabari Venture Pvt. Ltd.,
rep. by its Authorized Signatory,
Mr.N.Santosh Kumar
No.114 and 115, Trade Centre,
Wallajah Road, Chennai - 600 002

...Petitioner

Vs.

1. The Chairman,
Airports Authority of India,
Corporate Head Quarters,
Rajiv Gandhi Bhawan,
Safdurjung Airport, Block - A,
New Delhi - 110 003.
2. The Airport Director,
Airports Authority of India,
Meenambakkam,
Chennai - 600 027.
3. P.Muthukumar
Assistant General Manager,
(Commercials) Airports Authority of India
Meenambakkam Chennai - 600 027.
4. Evolve Business Ventures,
Outer Circle, Near State Bank of Mysore,
White Field, Bangalore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to forbear the third respondent's e-tender for appointment of Master Concessionaire to Design, Build, Finance, Operate and Maintain General Retails Outlets at Chennai Airport, Chennai - 27 (March 2018) finalizing the fourth respondent in August, 2018 as the successful tenderer and consequently, to direct the second and



third respondents to consider and give reply to the representation of the petitioner lastly on 16.05.2018, before calling for a fresh tender.

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For Petitioner : Mr.B.Ravi Raja

For Respondent-2 : M/s. A.Arul Mary

O R D E R

The learned counsel for the second respondent submitted that, M/s. Travel News Services (India) Pvt. Ltd0) filed a Writ Petition in W.P.No.7252 of 2017, to declare the bid submitted by Evolve Business Ventures, fourth respondent herein, as contrary to the tender condition of RPF and the said Writ Petition was allowed by this Court, by order, dated 11.08.2017. Challenging the same, the fourth respondent herein, viz., Evolve Business Ventures filed Writ Appeal, in W.A.No.1440 of 2017 before the Hon'ble Division Bench. However, the said Writ Appeal was subsequently withdrawn by the fourth respondent, and the Division Bench was also pleased to record the said withdrawal, vide its order, dated 16.07.2018. Therefore, the learned counsel submits that, in view of the order passed by this Court, in W.P.No.7252 of 2017, declaring the bid submitted by the fourth respondent herein as contrary to the tender conditions floated by the respondent/Airports Authority of India, the prayer sought for in this Writ Petition has become infructuous.

2.This Writ Petition was filed in the year, 2018 and the same has been entertained on 08.10.2018. Since the prayer sought for herein has become infructuous, the petitioner has not shown any interest to get the matter listed and prosecute the same. That is the reason why, today also, when the matter is called, the petitioner has not appeared.

3.Hence, this Writ Petition is dismissed for non-prosecution. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
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Corporate Head Quarters,
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White Field, Bangalore.

+2cc to Mr.Father Xavier Associates, Advocate SR.No.60750

W.P.No.26216 of 2018

JPL(CO)
GN(10/01/2022)