



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2021

CORAM :

THE HONOURABLE MRS.JUSTICE J. NISHA BANU

W.P. (MD) .No.13159 of 2021

P.Jeganathan

... Petitioner

vs.

The Assistant General Manager (Mechanical),
Tamil Nadu Newsprint and Papers Limited,
Kagithapuram, Karur.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to extend the time from 01.02.2020 to further period of 6 months in respect of sale order No.201913000102, dated 31.01.2020 on the basis of the petitioner's representation, dated 10.06.2021 within the stipulated time fixed by this Court.

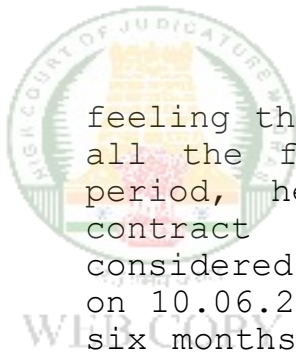
For Petitioner
For Respondent

: Mr.S.T.Sasidharan Tamilkani
: Mr.M.Lingadurai
Government Advocate

O R D E R

This writ petition has been filed praying for issuance of a Writ of Mandamus, to direct the respondent to extend the time from 01.02.2020 to a further period of 6 months in respect of sale order No.201913000102, dated 31.01.2020 on the basis of the petitioner's representation, dated 10.06.2021 within the stipulated time to be fixed by this Court.

2.The petitioner is the Proprietor of SPM Traders. The respondent released a press tender No.2019039 dated 05.01.2020 for sale of 50,000 MT of ETP filter cake from first unit and fixed the due date for submission of tenders on 20.01.2020. The petitioner was also a participant in the above tender and the applications were scrutinised and the respondent allotted the sale order No.201913000102 dated 31.01.2020 to the petitioner with certain conditions. Due to the pandemic situation and due to the announcement of the National-wide lockdown, the petitioner was able to lift the filter cake of 5,255.02MT till 12.05.2020 with a balance of Rs.7.22 lakhs and the petitioner was stopped from all the work as there was a complete lockdown and therefore, the petitioner was not able to clear the filter cake from the respondent unit. The petitioner made repeated requests to the respondent to extend the time for a further period of six months for lifting the remaining filter cake on the basis of the sale order dated 31.01.2020, but the respondent extended only one week time for lifting the filter cake on credit basis from 06.05.2020 to 12.05.2020. The petitioner



feeling that the period of extension was not sufficient for lifting all the filter cake in the respondent unit during the lockdown period, he had given a detailed representation to extend the contract period from 01.02.2021 to 01.11.2021 which was not considered. Thereafter, the petitioner made another representation on 10.06.2021 to extend the contract period for a further period of six months. As no order was passed, the petitioner is before this Court.

3. When the writ petition is taken up for hearing, the learned counsel for the petitioner would state that it is suffice if the petitioner's representation dated 10.06.2021 is disposed of by the respondent within a time frame, for which, the learned Government Advocate appearing for the respondent has agreed.

4. Heard the learned counsel for the petitioner as well as the learned Government Advocate for the respondent.

5. Though the petitioner has come out with the larger prayer, during the hearing, the learned counsel for the petitioner would state that it would be suffice if the petitioner's representation dated 10.06.2021 is disposed of within a time frame. Accordingly, without advertting to the merits of the case, the respondent is directed to consider and pass orders on the petitioner's representation dated 10.06.2021 in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

To

The Assistant General Manager (Mechanical),
Tamil Nadu Newsprint and Papers Limited,
Kagithapuram, Karur.

+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-24826[F] dated 30/07/2021)

W.P. (MD).No.13159 of 2021
DATED : 30.07.2021

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