



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.19114 & 19423 OF 2015

&

M.P.NOS.1 & 2 OF 2015

M/s. Sri Adiparasakthi Transports,
Rep. by its Proprietor,
K.G.Kumaran,
No.4, Elango Street,
Tharapadavedu,
Katpadi,
Vellore District.

... Petitioner in W.P.No.19114 of 2015

2.M.S.Rajendran

... Petitioner in W.P.No.19423 of 2015

Vs.

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Department of Food Civil Supplies & Consumer Protection,
Fort St. George,
Secretariat,
Chennai-600009.
2. The Tamil Nadu Civil Supplies Corporation Ltd.
Rep. by its Managing Director,
Head Office,
No.12, Thambusamy Road,
Kilpauk,
Chennai-600010.

... Respondents in both the WPs.

Prayer in W.P.No.19114 of 2015 :

Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration, declaring the condition in Clauses VII & VIII-FCI and VII & IX-Non-FCI of the Tender Notification dated 18.06.2015 issued by the 2nd respondent as illegal arbitrary and in violation Article 14 and 19(1)(g) of the Constitution of India consequently directing the



2nd respondent to modify the condition that 3 years experience in the matter of transportation in the Government and its undertaking companies so as to enable the petitioner to participate in the tender process and tender to be held on 06.07.2015 at 2.30 P.M.

Prayer in W.P.No.19423 of 2015:

Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration, Declaring the conditions stipulated in Clauses III & VIII in Part I of the impugned Tender Notification dated 18.6.2015 (downloaded from the Official Portal of the 2nd respondent) issued by the 2nd respondent as illegal arbitrary unconstitutional null and void and consequently direct the 2nd respondent to process the petitioner Tender Schedule without reference to conditions in Clauses III & VIII in Part I for the Region Viz. Villupuram, Cuddalore, Tiruvannamalai, Vellore and Kancheepuram as mentioned in Sl.No.2 of Annexure-VII in the said Notification and by taking into consideration of the fact that the petitioner experience in private field and on his production of required lorries on contractual basis, for the tender period.

For Petitioners : Mr.K.Balu in W.P.No.19114 of 2015
Mr.P.Rajavel W.P.No.19423 of 2015

For Respondents : Mr.C.Satish in both the W.Ps
Government Advocate.

O R D E R

The Tender Notification dated 18.06.2015, issued by the 2nd respondent is under challenge in the present writ petitions.

2. On account of efflux of time, the issues raised in the present writ petition lost its relevance and therefore, no further adjudication is required. If any grievance exist for the petitioner, it is left open to them to approach the competent authority for redressal of the same. With these observations, the writ petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

shr/ska



To

1. The Principal Secretary to Government,
Government of Tamil Nadu,
Department of Food Civil Supplies & Consumer Protection,
Fort St. George,
Secretariat,
Chennai-600009.
2. The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.
Head Office,
No.12, Thambusamy Road,
Kilpauk,
Chennai-600010.

+1cc to Government Pleader, SR.NO.4712

W.P.No.19114 & 19423 of 2015 &
M.P.Nos.1 & 2 of 2015

GPL (CO)
PM/08/02/2022