



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2022

C O R A M

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.NOS.7354 AND 7355 OF 2017
AND W.M.P.NOS.8017 TO 8020 OF 2017

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

...Petitioner
in both W.Ps

Vs

1. The Chairman cum Managing Director,
Tamilnadu Generation and Distribution
Corporation Limited, (TANGEDCO),
10th Floor, NPKRR Maaligai, 144 Anna Salai,
Chennai-600 002.
2. The Chief Engineer,
Thermal Stations,
3rd Floor NPKRR Maaligai, 144 Anna Salai,
Chennai-600 002.
3. The Chief Engineer,
Mettur Thermal Power Station II,
Mettur Dam - 636 406.
4. The Superintending Engineer/Operation,
Mettur Thermal Power Station II,
Mettur Dam - 636 406.

... Respondents in
W.P.No.7354 of 2017

1. The Chairman cum Managing Director,
Tamilnadu Generation and Distribution
Corporation Limited,
(TANGEDCO),
10th Floor, NPKRR Maaligai, 144 Anna Salai,
Chennai-600 002.



2. The Chief Engineer,
Thermal Stations,
3rd Floor NPKRR Maaligai, 144 Anna Salai,
Chennai-600 002.

3. The Chief Engineer,
North Chennai Thermal Power Station II,
TANGEDCO, Chennai -600 120.

4. The Superintending Engineer/Operation,
North Chennai Thermal Power Station II,
TANGEDCO, Chennai -600 120.

... Respondents in
W.P.No.7355 of 2017

Prayer in W.P.No.7354 of 2017:

Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Mandamus, forbearing the respondents not to award tender issued by the fourth respondent in specification No.CE/MTPS-II/SE/O/OT.07/2016-17 dated 24.12.2016 before evaluating and finalizing the price of the bid as prescribed under the Tamil Nadu Transparency in Tender Act, 1998 & Tamil Nadu Transparency in Tender Rules 2000 and direct the respondent to invite the petitioner for negotiation of the bid price before awarding tender.

Prayer in W.P.No.7355 of 2017:

Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Mandamus, forbearing the respondents not to award tender in specification No.SE/0/NCTPS-II/19/2016-2017 dated nil before evaluating and finalizing the price of the bid as prescribed under the Tamil Nadu Transparency in Tender Act, 1998 & Tamil Nadu Transparency in Tender Rules 2000 and direct the respondent to invite the petitioner for negotiation of the bid price before awarding tender.

In both W.Ps
For Petitioner : Mr.A.Swaminathan
For Respondents : Mr.Abul Kalam
Standing Counsel

COMMON ORDER

These Writ Petitions have been filed, for the issuance of Writ of Mandamus, forbearing the respondents not to award tender in specification No.CE/MTPS-II/SE/O/OT.07/2016-17 dated 24.12.2016 and No.SE/0/NCTPS-II/19/2016-2017 dated nil, before



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

2.The learned counsel for the petitioner submitted that he has no instructions from his client.

3.The learned Standing Counsel appearing for the respondents by referring the counter affidavit submitted that the petitioner was found unsuccessful as per tender condition. Furthermore, the tender itself was finalized as per the statutory provision and as such the price bid of the petitioner will be returned to the petitioner. Therefore, nothing survives in the Writ Petition.

4.Recording the submission made by the either side counsel, these Writ Petitions are dismissed. No Costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman cum Managing Director,
Tamilnadu Generation and Distribution
Corporation Limited,
(TANGEDCO),
10th Floor, NPKRR Maaligai, 144 Anna Salai,
Chennai-600 002.
2. The Chief Engineer,
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3rd Floor NPKRR Maaligai, 144 Anna Salai,
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Mettur Thermal Power Station II,
Mettur Dam - 636 406.



- W.P.Nos.7354 & 7355 of 2017
and W.M.P.Nos.8017 to 8020 of 2017

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