

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.12966 of 2013
and
M.P(MD)Nos.1, 2 & 3 of 2013

G.Jeyasingh,
Proprietor,
M/s.Sri Paulthai Lorry Booking Office,
No.290-A/3, Sivanthakulam Road,
Tuticorin-628 003.

... Petitioner

Vs.

1.The Tamil Nadu Civil Supplies Corporation,
Represented by its Managing Director,
No.12, Thambusamy Road,
Kilpauk,
Chennai-600 010.

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Virudhunagar Region,
Virudhunagar,
Virudhunagar District.

3.L.Helen,
M/s.T.T.N.Transport,
Valliyoor,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records in connection with the impugned order of the second respondent vide ref. Na.Ka.No.rp1/2363/2013 (1), dated 26.06.2013 and the consequential order of first respondent vide ref. proceedings No.MT10/37387, dated 03.07.2013, quash the same and direct the first respondent to appoint the petitioner as transport contractor for non FCI movement in respect of Virudhunagar Region for the year 2013-2014 .

For Petitioner : Mr.Niranjan S.Kumar

For R-1 & R-2 : M/s.D.Mayarajan

For R-3 : Mr.R.Anand

ORDER

The present Writ Petition has been filed challenging an order passed by the second respondent herein, under which, the tender for transport contract granted to the writ petitioner was cancelled on the ground, within a period of five working days, the petitioner has not produced the original documents relating to fifteen lorries.

2. According to the learned Counsel for the petitioner, he was owning five lorries and he has produced the original documents relating to the said lorries. However, with regard to the leased lorries, he could not produce the original document within the said period. That apart, out of the said leased lorries, some of them were under the hire purchase agreement and hence, the original could not be produced. Hence, he had contended that the order impugned in the writ petition suffers from non application of mind and hence, he seeks to set aside the order.

3. A perusal of the order indicates that the transport contract has been awarded to the writ petitioner for the year 2013-2014, and the period of contract has already expired. Hence, this Court cannot adjudicate upon the validity or otherwise of the order impugned in the writ petition. However, the impugned order shall not stand in the way of the writ petitioner from participating in transport contracts in future.

4. With the above said observations, the writ petition stands closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

16.09.2022

Index : Yes / No
Internet : Yes / No
btr

To

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W.P(MD)No.12966 of 2013

R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.12966 of 2013

16.09.2022