



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8904 of 2022

and

W.M.P.(MD)Nos.6450 & 6452 of 2022

WEB COPY

S.Niraiikulathan

... Petitioner

Vs.

The Tamil Nadu Cooperative Milk Producers Federation Union,
Rep. by its Deputy General Manager,
(Engg), Aavin Illam,
3-A, Nandhanam,
Chennai-35.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned Tender Notification in Ref.No.1111/PROJ.4/2022, dated 04.04.2022 on the file of the respondent and quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy

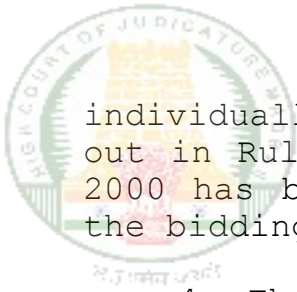
For Respondent : Mr.K.Prabhu

O R D E R

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondent.

2. The petitioner questions the impugned tender notification dated 04.04.2022. The petitioner's counsel initially contended that proper publication has not been made. The standing counsel produced a number of newspapers cuttings which clearly indicate that tender notification was published in All India Editions as well as State Edition (the New Indian Express & Dhinakaran). Both newspaper have wide circulation. Therefore, the contention as regards publication lacks merit. The second contention urged by the learned counsel is that the amount of EMD had not been mentioned. He referred to Rule 10(d) of the Tamil Nadu Transparency in Tenders Rules, 2000 in support of his contention.

3. It is true that Rule 10(d) states that the notice inviting tenders shall contain the amount of EMD payable. In the impugned tender notification, it is mentioned that the details regarding EMD can be found in the website. Though it has not been set out in so many terms, in the counter, it has been mentioned that details regarding the amount of EMD payable have been set out in the website. Since counter was not clear, I had telephonic interaction with Thiru.S.Harihara Subramanian / deponent of the counter affidavit. He clarified that in the website, EMD details has been



individually furnished. I am satisfied that the requirement set out in Rule 10(d) of the Tamil Nadu Transparency in Tenders Rules, 2000 has been complied with. The petitioner did not take part in the bidding process. I do not find any ground to interfere.

4. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Admin I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

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+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-25268[F] dated 13/06/2022)

+1 CC to M/s.K.PRABHU, Advocate (SR-25332[F] dated 13/06/2022)

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MGJ(23.06.2022) 2P 3C