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W.P.No.2936 of 2023 & batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2023

CORAM :

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. Nos.2936, 2937, 2941, 2943 and 2944 of 2023
and

W.M.P. Nos.3036, 3039, 3040, 3043, 3045,
3046, 3047, 3048, 3050 and 3051 of 2023

In W.P. No.2936 of 2023

M/s.Mahalakshmi Transports,
Represented by its Partner
S. Naveen

.. Petitioner

VS

1. The State of Tamil Nadu
Represented by its Principal Secretary,
Department of Animal Husbandry,
Fort. St. George,
Chennai - 600 009.

2. The Managing Director,
The Tamil Nadu Co-operative Milk
Producers' Federation Limited,
"Aavin Illam",
3-A, Pasumpon Muthuramalinganar Road,
Nandanam,
Chennai - 600 035.



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3. The Joint Managing Director,
The Tamil Nadu Co-operative Milk
Producers' Federation Limited,
29 & 30, Industrial Estate,
Ambattur,
Chennai - 600 098.

4. The Deputy General Manager,
The Tamil Nadu Co-operative Milk
Producers Federation Limited,
Transport Unit,
Madhavaram Milk Colony,
Chennai - 600 051.

5. The Tender Evaluation Committee,
Represented by its Chairman cum
the Joint Managing Director,
The Tamil Nadu Co-operative Milk
Producers' Federation Limited,
29 & 30, Industrial Estate,
Ambattur,
Chennai - 600 098.

6. V. Nirmala
7. Mohanasundaram Transports,
6/70, Ayyar Salai Colony,
Thathatripuram,
Namakkal Taluk & District - 637 018.

8. N. Elangovan

9. S. Arun

10. A. Ahila

11. A. Saroja



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12. M/s.Ayyanar Transports,
3/104, Muthukumaran Street,
Pachal Post,
Namakkal Taluk & District - 637 018.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus, calling for the records on file of the third respondent with respect to Ref. No.1993/T4/TPT/2022, dated 25.01.2023 relating to the Technical Evaluation insofar as respondents 6 to 15 as regards E-Tender for 'hiring of Road Milk Tankers on contract for three years for transportation of milk within & outside State of Tamil Nadu' and quash the same with consequential direction directing the third and fifth respondents to evaluate the Technical Bid afresh in view of the condition stipulated in the Notice Inviting Tender captioned as Instructions to Bidders or submission of on-line bids in E-Tender read with Rule 28(2) (b) of the Tamil Nadu Transparency in Tenders Rules, 2000 by considering the representation of the petitioner dated 24.01.2023.

For Petitioner

: Mr.T. Mohan

for Mr.S. Senthil

For Respondents

: Mr.J. Ravindran

Additional Advocate General - 9

Assisted by

Mr.S. Ravikumar

Spl. Govt. Pleader

Mr.M.Balachander,

Standing counsel for AAVIN

for R2 to R4

Mr.D. Saikumaran for R6



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COMMON ORDER

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2. According to the petitioners, the respondents 6 to 15 have not uploaded the digital signatures in every page of the documents, which is a condition required under the tender and hence, they are not eligible.

3. Now it is brought to the notice of this Court by the learned Additional Advocate General appearing for the respondents that Work Order has now been issued to the successful bidders and therefore, these writ petitions have now become infructuous. A copy of the 94 Work Orders have also been furnished to the learned counsels appearing for the respective petitioners.

4. Since, Work Orders have been issued, the learned counsels appearing for the respective petitioners seek liberty of this Court for the respective petitioners to challenge the Work Orders in the manner known to the petitioners under law.

5. No prejudice would be caused to any of the parties, if such a liberty is granted.



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6. Accordingly, these writ petitions are disposed of as the same have now become infructuous and liberty as sought for by the respective petitioners is granted. No costs. Consequently, connected miscellaneous petitions are closed.

08.02.2023

Index:Yes/No
Neutral Citation:Yes/No
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To
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