



W.P.No.4381 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4381 of 2020

And

W.M.P.No.5178 of 2020

Meera Sivasankaran

... Petitioner

Vs.

M/s.Bharat Electronics Limited
Rep. by: Sr.Dy.Gen.Manager (HR & ADMN),
Nandambakkam,
Chennai – 600 089.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order dated 15.02.2020 in No.4788/002/TPT/SEC/HR&A/ CHN/2020 of the respondent, to quash the same as being illegal, unjust and arbitrary and direct the respondent to permit the petitioner to continue with the existing contract as per the agreement dated 4th July 2019.

For Petitioner : Mr.V.Srikanth

For Respondent : Mr.T.Madhusodhan Reddy



W.P.No.4381 of 2020

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the order dated 15.02.2020 in No.4788/002/TPT/SEC/HR&A/CHN/2020 of the respondent, to quash the same as being illegal, unjust and arbitrary and direct the respondent to permit the petitioner to continue with the existing contract as per the agreement dated 4th July, 2019.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the Proprietrix of 'Lakshmi Travels'. The respondent floated tender relating to contract for supply of cars and other vehicles on daily / monthly basis for BEL – Chennai and the petitioner participated in the price bid and the petitioner was awarded with annual transport service contract 2019 – 2021. Whiles, the petitioner received a letter dated 26.09.2019 from the respondent informing that the solvency certificate furnished by the petitioner is not genuine and thereafter the contract awarded to the petitioner was terminated and her company was blacklisted for a period of three years.

3.The learned counsel appearing for the petitioner further



W.P.No.4381 of 2020

submitted that the period of three years is now over and there is no legal impediment for the respondent to consider the petitioner as a fresh tenderer.

4.The learned counsel appearing for the respondent raise no serious objection and further submitted that if the petitioner makes application in future for tender, the same will be considered as per the prevailing Rules and Regulations.

5.In view of the above, liberty is granted to the petitioner to make fresh application in future for tender and if any such application is made by the petitioner, the respondent shall consider the same, without referring to the earlier blacklist since the blacklisted period is already over and subject to satisfaction of tender conditions.

6.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is also closed.

13.04.2023

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

3/4



WEB COPY

To

M/s.Bharat Electronics Limited
Rep. by: Sr.Dy.Gen.Manager (HR & ADMN),
Nandambakkam,
Chennai – 600 089.



W.P.No.4381 of 2020

M.DHANDAPANI,J.
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