



W.P.Nos.6801, 6803 and 6804 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.6801, 6803 and 6804 of 2022

Rajkumar

.. Petitioner in
all WPs

Vs

- 1.Union of India,
Ministry of Consumer Affairs, Food
and Public Distribution Department,
Krishi Bhavan,
New Delhi - 110 001.
- 2.State of Tamil Nadu,
rep. by its Chief Secretary,
Fort St. George,
Chennai - 600 009.
- 3.The State,
rep. by the Principal Secretary to Government,
Department of Food and Civil Supplies
Consumer Protection,
Fort St. George,
Chennai-600 009.



W.P.Nos.6801, 6803 and 6804 of 2022

WEB COPY

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

5.Arnica Enterprises Private Limited,
First Floor, Harini Complex,
Perundurai Road,
Thindal Medu,
Erode.

6.M/s.Zinc Foods Private Limited,
rep. by its Managing Director,
No.3/127-D-1, Swamy Nagar,
Salem Road,
Namakkal District.

7.The Food Corporation of India,
rep. by its Zonal Officer,
Having Office at No.3, Haddows Road,
Thousand Lights West,
Gandhi Nagar,
Chennai-600 006.

.. Respondents

(Respondent No.7 suo motu impleaded as per the
order of this Court dated 22.3.2022)

Prayer: W.P.No.6801 of 2022 filed under Article 226 of the Constitution of India seeking issuance of a writ of declaration to declare the requirement prescribing qualification criteria under Rule 15 of the Tamil Nadu Transparency in Tenders Rules, 2000 for floating or finalizing any tender by the fourth respondent for the purpose of transportation of food materials including paddyis ultra vires, arbitrary, unreasonable, discriminatory and violates Article 14, 19(1)(g) and 21 of the Constitution of India.



W.P.Nos.6801, 6803 and 6804 of 2022

W.P.No.6803 of 2022 filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to quash the impugned Circle No.192(14)/2018-FC A/cs dated 6.5.2019 issued by the first respondent as it is against the object, provisions and purpose of the Tamil Nadu Transparency in Tenders Act, 1998.

W.P.No.6804 of 2022 filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 3 and 4 to float decentralized godown and activity-wise tender for transportation of food materials in the TN Civil Supplies Corporation without adhering to the Rule 15 of the Tamil Nadu Transparency in Tenders Rules, 2000 and Circular No.192(14)/2018-FC A/cs dated 06.05.2019 issued by the first respondent.

For the Petitioner in all WPs	: Mr.P.J.Rishikesh
For the Respondents in all WPs	: Mr.B.Ramprabhu ACGSC for respondent No.1
	: Mr.P.Muthukumar State Government Pleader for respondent Nos.2 and 3
	: Mr.M.K.Kabir Senior Counsel for Mr.C.Selvaraj Standing Counsel for respondent No.4



W.P.Nos.6801, 6803 and 6804 of 2022

: Mr.K.Suresh
for respondent No.5

: Mr.K.Narayanan
for respondent No.6

: Mrs.S.R.Sumathy
for respondent No.7

COMMON ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

Learned counsel appearing for the petitioner, by placing on record the memo dated 6.3.2023, seeks permission of this Court to withdraw the writ petitions with liberty to approach the authorities to raise all the contentions for an appropriate decision.

2. Learned counsel appearing for the fifth and sixth respondents in the writ petitions filed memos stating that the Arbitrator has passed a consent award on 16.2.2023 bringing an amicable settlement to the dispute between the parties and, therefore, the miscellaneous petitions filed by them can be closed.

3. Recording the memo of withdrawal dated 6.3.2023 filed by



W.P.Nos.6801, 6803 and 6804 of 2022

the petitioner, all the writ petitions are dismissed as withdrawn.

There will be no order as to costs. WMP Nos.33804, 25234, 25235, 25237, 25238, 25239, 6878, 30490, 30530, 30532, 30545, 30544, 30473, 30474, 30540, 25242, 33965, 30483, 30551, 30537, 30546, 30547, 30548, 33808, 24349, 24354, 24356, 25229, 25231, 25243, 25244, 25245, 30454, 30458, 30460, 30461, 30465, 30466, 30467, 30468, 30469, 30470, 30471, 30472, 30475, 30479, 30481, 30489, 30534, 30535, 30550, 30554, 30555, 30556, 30557, 33806, 33809, 33819, 33821, 33822, 33823, 33959, 33960, 6879, 6876, 30543, 30552, 30553, 30484, 30528, 25236, 30533, 30488, 30456, 30491, 30529 and 30549 of 2022; 5076 of 2023 are closed.

(T.R., ACJ.) (D.B.C., J.)
07.03.2023

Index : Yes/No
Neutral Citation : Yes/No
bbr



W.P.Nos.6801, 6803 and 6804 of 2022

WEB COPY To:

- 1.The Union of India,
Ministry of Consumer Affairs, Food
and Public Distribution Department,
Krishi Bhavan,
New Delhi - 110 001.
- 2.The Chief Secretary,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
- 3.The Principal Secretary to Government,
Department of Food and Civil Supplies
Consumer Protection,
Fort St. George,
Chennai-600 009.
- 4.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
No.12, Thambusamy Road,
Kilpauk, Chennai - 600 010.
- 5.The Zonal Officer,
Food Corporation of India,
Having Office at No.3, Haddows Road,
Thousand Lights West,
Gandhi Nagar,
Chennai-600 006.



WEB COPY



W.P.Nos.6801, 6803 and 6804 of 2022

THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

bbr

W.P.Nos.6801, 6803 and 6804 of 2022

07.03.2023