



W.P.No.12688 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.12688 of 2020
and
W.M.P.Nos.15672 &15673 of 2020

M/s.Salem Automech,
Represented by its Authorized Signatory Mr.S.Sidesh Kumar,
No.5/37-A, Salem-Bangalore N.H.Road,
Jagir Ammapalayam, Salem-636 302, Tamil Nadu
... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-600 009.
2. The Additional Director/Project Director/
Tender Inviting Authority,
District Rural Development Agency (DRDA),
Salem District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent's impugned proceedings bearing Na.Ka.No.481/2019/A6 dated 06.08.2020, Na.Ka.No.480/2019/A6 dated 03.10.2019, culminating in his impugned proceedings bearing Roc.No.481/2019/A6 dated 20.08.2020 (received on 27.08.2020) confirming the remarks for rejection and consequently holding that the petitioner is not qualified for technical bid and ineligible to participate in the price bid pertaining to the Tender bearing Tender Id:2019_RDTN_125132_1, Tender Reference No:Roc.No.481/2019/A6, Name of the work: Rate contract for the supply of Tri-cycles with rear body/Pushcart for garbage handling required for the Village Panchayats in Salem District, quash the same and consequently direct the 2nd respondent to permit the petitioner to participate further in the said Tender by opening and evaluating the Petitioner's Price Bid.

For Petitioner : Mr.Arun Anbumani

For Respondents : Mr.V.Manoharan
Additional Government Pleader

COMMON ORDER

When these matters were taken up for hearing, the learned counsel appearing for the petitioner would submit that the petitioner has participated in the 'E' tender process issued by the second respondent for supply of pushcart to the local bodies. However, the tender application was rejected technically on the ground that the petitioner has not satisfied with the tender conditions. He further submitted that though the rejection order is frivolous



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in nature, as the period of tender is one year and the same is over, the prayer sought for in this Writ Petition has become infructuous. He further submitted that the respondents shall be directed not to rely upon the similar rejection order in the future tender process.

2. Recording the said submissions made by the learned counsel for the petitioner, this Writ Petition is dismissed as infructuous with a direction to the respondents to give an opportunity to the petitioner, before passing any orders, if he participates in the future tender. No costs. Consequently, connected Miscellaneous Petitions are closed.

09.06.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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M.DHANDAPANI,J.

NHS

To

1. The Secretary,
Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-600 009.
2. The Additional Director/Project Director/
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