



W.P(MD)No.3775 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3775 of 2023

and

W.M.P(MD)Nos.3541, 3543 & 3545 of 2023

Evethesankaranarayan

... Petitioner

Vs

- 1.The Managing Director,
Tamil Nadu Civil supplies Corporation,
No.12, Thambusamy Road,
Kilpauk,
Chennai – 600 010.
- 2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Ward No.10, Kuruvikkaran Salai,
Aringar Anna Nagar,
Madurai – 623 020.
- 3.Kartikeya Enterprises,
Represented by its Authorized Signatory,
Elangovan Ashirvatham,
233/6, Salem Road,
T.Kailasampalayam,
Tiruchengode,
Namakkal District.
***(R.3 is suo motu impleaded vide
order of this Court dated 27.02.2023)***

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned Notice Inviting Tender NIT No.B2/3949/2023 dated 09.02.2023, E-tender No. TNCSC/22-23/ET/75 issued by the second respondent and quash the same as illegal, arbitrary and unconstitutional.

For Petitioner : Mr.S.Parthasarathy

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
Assisted by
Mr.K.Balasubramanian
Standing Counsel for R.1 & R.2

Mr.B.Saravanan
Senior Counsel
Mr.D.Kirubakaran for R.3

ORDER

Heard the learned Senior Counsel appearing for the writ petitioner, the learned Additional Advocate General assisted by the learned Special Government Pleader for Tamil Nadu Civil Supplies Corporation (TNCSC) and the learned Senior Counsel appearing for the impleaded respondent.

2.The writ petitioner challenged the impugned tender notification. On 25.02.2023, the following interim order was passed:

“(a) The petitioner notwithstanding the institution of these writ petitions can take part in the tender process.



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(b) The respondents shall carry out the technical scrutiny and file a status report on 27.02.2023.

(c) The price bids shall not be opened till 27.02.2023 evening.”

3.Today when the matter was taken up for hearing, the learned Additional Advocate General informed the Court that totally four persons had taken part in the tender process. Out of them, the writ petitioner and the impleaded respondent, namely, Kartikeya Enterprises alone have qualified at the technical bid stage. He clarified that the commercial bids of these two alone were considered.

4.Recording the said submission, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

27.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Managing Director,
Tamil Nadu Civil supplies Corporation,
No.12, Thambusamy Road,
Kilpauk, Chennai – 600 010.



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G.R.SWAMINATHAN, J.

MGA

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Ward No.10, Kuruvikkaran Salai,
Aringar Anna Nagar,
Madurai – 623 020.

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and

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27.02.2023