



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.02.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.Nos.4945, 4946, 4947 & 4948 of 2024
and WMP.Nos.5423, 5424, 5425 & 5426 of 2024

A.Venku Reddy

... Petitioner in all WPs

VS

1.The General Manager,
Southern Railway,
Park Town, Chennai-3.

2.The Chief Engineer (Construction),
Southern Railway, Construction Branch,
EVR Periyar Salai, Egmore, Chennai-8.

.... Respondents in all WPs

PRAYER in WP.No.4945 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the Second Respondent from rejecting the Petitioner's Techno-Commercial Bid in respect of the 2nd Respondent's Tender No.64-CECNMS-23-E-389844-II dated 01.12.2023 (Closing Date: 27.12.2023) on the grounds mentioned for rejection against the Second Respondent's Tender No.56-CECNMS-2023-E-410506 dated 08.11.2023 and accept the Petitioner's Techno-Commercial Bid and process the same in accordance with law.

PRAYER in WP.No.4946 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the



Second Respondent from rejecting the Petitioner's Techno-Commercial Bid in respect of the 2nd Respondent's Tender No.60-CECNMS-23-E-390463-II dated 14.11.2023 (Closing Date: 06.12.2023) on the grounds mentioned for rejection against the Second Respondent's Tender No.56-CECNMS-2023-E-410506 dated 08.11.2023 and accept the Petitioner's Techno-Commercial Bid and process the same in accordance with law.

PRAYER in WP.No.4947 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the Second Respondent from rejecting the Petitioner's Techno-Commercial Bid in respect of the 2nd Respondent's Tender No.67-CECNMS-2023-E-411457 dated 20.12.2023 (Closing Date: 12.01.2024) on the grounds mentioned for rejection against the Second Respondent's Tender No.56-CECNMS-2023-E-410506 dated 08.11.2023 and accept the Petitioner's Techno-Commercial Bid and process the same in accordance with law.

PRAYER in WP.No.4948 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the Second Respondent from rejecting the Petitioner's Techno-Commercial Bid in respect of the 2nd Respondent's Tender No.59-CECNMS-23-E-389846-II dated 14.11.2023 (Closing Date: 06.12.2023) on the grounds mentioned for rejection against the Second Respondent's Tender No.56-CECNMS-2023-E-410506 dated 08.11.2023 and accept the Petitioner's Techno-Commercial Bid and process the same in accordance with law.

(In all WPs)

For Petitioner : Mr.Nawin Dmonte

For Respondents : Mr.K.Srinivasamurthy
Senior Panel Counsel



COMMON ORDER

WEB COPY The petitioner has submitted bids [Tender No.64-CECNMS-23-E-389844-II dated 01.12.2023 (closing date 27.12.2023) in WP.No.4945 of 2023, Tender No.60-CECNMS-23-E-390463-II dated 14.11.2023 (closing date 06.12.2023) in WP.No.4946 of 2023, Tender No.67-CECNMS-23-E-411457 dated 20.12.2023 (closing date 12.01.2024) in WP.No.4947 of 2023 and Tender No.59-CECNMS-23-E-389846-II dated 14.11.2023 (closing date 06.12.2023) in WP.No.4948 of 2023] in time prior to the last date of submission which was 30.11.2023.

2.Mr.K.Srinivasamurthy, learned Senior Panel Counsel who accepts notice for the respondents confirms that the technical bid, that is, the first stage of contract evaluation, has not yet been initiated. That is to state, the technical bids of the bidders has not been opened as yet.

3.After some hearing, it is found that the petitioner has omitted to furnish the annual contractual turnover data in the format required under Annexure VIB and has instead filed a consolidated tabulation of total annual turnover.

4.Without it being a precedent, the petitioner is permitted to file the required details in Annexure VIB now and if such details are filed prior to 05.30



p.m. on 29.02.2024, the respondents shall take them into account in finalising the technical bid.

WEB COPY

5. There is a direction to the respondents not to open the bids till 05.30

p.m. on 29.02.2024.

6. These writ petitions are closed in terms of this order. No costs.

Connected miscellaneous petitions are also closed.

27.02.2024
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Index : Yes/No

Speaking order

Neutral Citation: Yes

vs

To

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2. The Chief Engineer (Construction),
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EVR Periyar Salai, Egmore, Chennai-8



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DR.ANITA SUMANTH, J.

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