



WEB COPY

WP No.14048 of 2



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 02-01-2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM**

**WP No.14048 of 2020**

**And**

**WMP Nos.17436 of 2020 and 34690 of 2023**

M/s.Insta 3D Technologies LLP,  
Represented by its Partner,  
Joseph Mathew, Christian,  
Aged 28 years (30/2020),S/o.Mathai,  
687/10, 3<sup>rd</sup> Floor,  
Shree Sakthivel Towers,  
Trichy Road,  
Ramanathapuram,  
Coimbatore-641 045.

Permanently residing at

3/1B, Mohan Rao Colony,  
3<sup>rd</sup> Cross Street,  
Krishhnagiri.

.. Petitioner

-VS-

1.The Director of Technical Education,  
Directorate of Technical Education,  
Guindy,  
Chennai-600 025.



2. The Principal,  
Government College of Technology,  
Coimbatore-641 013.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent relating to the impugned letter in Letter No.5322/B1/2019 dated 04.07.2020 issued by the second respondent and quash the same as illegal, arbitrary and devoid of merit and consequently direct the respondents to process the tender awarded in favour of the petitioner in Tender Id: 2019\_DOTE\_136706\_1.

For Petitioner : Ms.V.Shalini for  
Mr.Deepan Uday.

For Respondents : Mr.G.Ameedius,  
Government Advocate.

### **ORDER**

The order cancelling the purchase order placed in favour of the writ petitioner in proceedings dated 04.07.2020, is sought to be assailed in the present writ proceedings.



2. The petitioner, who is M/s.Insta 3D Technologies LLP, has agreed to supply Computer Printers to the Government College of Technology at Coimbatore. The purchase order was placed by the Government College of Technology to the writ petitioner for supply of Computer Printers. However, the Government issued G.O.Ms.No.249, Finance (Budge General-I) Department, dated 21.05.2020 to control the Government expenditure during the financial year 2020-2021.

3. On account of COVID-19, certain measures were taken to control the Government expenditure. Based on the Government Order, the Principal, Government College of Technology at Coimbatore cancelled the purchase order placed in favour of the writ petitioner.

4. The order impugned further states that if requirement arises in future, the College will consider the same in favour of the writ petitioner. It is the policy decision taken by the Government to control the expenditure on account of COVID-19 and such a decision cannot be interfered and by relying on the Government Order, the Government College of Technology cancelled the purchase order.



5. That being the factum, the petitioner has no right to claim that the purchase order placed by the College must be acted upon.

6. It is an admitted fact that the petitioner has not supplied any material to the Government College of Technology. The purchase order itself was cancelled. Therefore, the petitioner has not established any right. More-so, such contractual obligations or otherwise cannot be adjudicated in the writ proceedings.

7. In the present case, even the writ did not accrue for the petitioner to move the writ proceedings, since the purchase order itself was cancelled by the College based on the Government Order issued in G.O.Ms.No.249, Finance (Budge General-I) Department, dated 21.05.2020 to control the Government expenditure. Thus, the petitioner is not entitled for the relief as such sought for in the present writ petition.



8. Accordingly, the present writ petition stands dismissed.

However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are also dismissed.

**02-01-2024**

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

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To

1.The Director of Technical Education,  
Directorate of Technical Education,  
Guindy,  
Chennai-600 025.

2.The Principal,  
Government College of Technology,  
Coimbatore-641 013.



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**S.M.SUBRAMANIAM, J.**

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