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W.P.No.16614 of 2019 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.16614, 16619, 16976, 17562,
18013, 18261, 18269 & 22111 of 2019

and

W.M.P.Nos.16248, 16251, 16538, 17039,
17627, 17619, 21376, 21382 of 2019

W.P.No.16614 of 2019 :-

M/s.Sri Balasubramaniam Agencies
Rep. by its Partner, G.Vijayan,
Sree Lakshmi Nilayam,
No.19, 5th Street, Gandhi Nagar,
Thiruvannamalai - 606 603.

... Petitioner

Vs.

1. The General Manager - (Contracts),
Indian Oil Corporation Limited (MD),
Indian Oil Bhavan,
139, Nungambakkam High Road,
Chennai - 600 034.
2. The Deputy General Manager- (Contracts)
Indian Oil Corporation Limited (MD),
Indian Oil Bhavan,
139, Nungambakkam High Road,
Chennai - 600 034.
3. The Secretary to Government of India,
Ministry of Petroleum and Natural Gas,
Shastri Bhavan, New Delhi-110001.
4. The Commissioner,



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Transport Department,
1st Floor, A-Block,
TTMC Building,
Shanti Nagar, Bangalore,
State of Karnataka-560027.

5. The Regional Transport Officer
Electronic City Region,
BTM 4 Stage, 2nd Block,
New to KEB Sub Station,
Bangalore-560076.
6. TV Sundaram Iyengar and Sons Pvt. Ltd.,
211, NH7, South Veli Street,
Madurai-625001.
7. M.Senthil kumar,
C-133, Periyar Kudiruppu,
Dadagapatty, Salem-636006.
- 8 A.Nithya,
44, Chelappan Illam,
S.K.Garden, Nethi Medu, Salem-636002.
9. Balu Transport,
44, Chelappan Illam,
S.K.Garden, Nethi Medu,
Salem-636002.
10. Arasan Transport,
2/208, 4th Street,
Perumal Kovil Medu,
Seelanaickenpatty Po.,
Salem-636201.
11. K.Maheswari,



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2/103, Irusayamman Kovil Street,
Nilavarapatty Post, Salem-636201.

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12. Andavar Road Lines,
30/169, Thuraiyur Main Road,
Opp. Police Station,
Namakkal-637001.

13. Sri Anjaneya Transport,
2/210, ACT Nagar, Aniyapuram,
Namakkal-637017.

14. NCS Road Lines,
Opp. Murugan Kovil, 1A,
Mayampillaiyar Kovil Road,
Namakkal-637001

15. G.N.Transport
2/210, ACT Nagar, Aniyapuram,
Namakkal-637010.
(R3 TO R15 are impleaded vide
order made in W.M.P.No.23905 of 2019
in W.P.No.16614 of 2019 dt. 19.08.2019)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the first and second respondents herein relating contract for Bulk Lube Transportation Lube Blending Plant (LBP), Chennai to direct customers and stock transfer to other IOCL Locations (Mainly Tadepalli / Khapri/ Slivassa/ Taloja/ Trombay/ Vashi) through Tank Trucks, with reference to Tender No. SRCC/PT/ 134/ LBP/ 2018-2019, Tender ID.2019-SROTN-91320-1 and quash the order of rejection in letter dated 10.06.2019, passed against the petitioner giving reason NIT FULFILLED and direct the first and second respondents to release



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Letter of Indent favouring the petitioner consequent to clearance of technical and financial bid.

For Petitioner : Mr.T.Mohan, Senior Counsel
For Mr.C.Johnson

For Respondents
For R1 & R2 : Mr.Mohammed Fiyaz Ali
For R7 to R 11 : Mr.R.Nalliyappan

COMMON ORDER

These writ petitions have been filed challenging the order of rejection passed against the petitioners giving reason NIT fulfilled and to direct the first and second respondents to release Letter of Indent favouring the petitioners consequent to clearance of technical and financial bid and to re-evaluate the technical and finance bids.

2. Today when the matters are taken up for hearing, the learned counsel appearing for the petitioners submitted that now the entire contract period itself over and the matter has become infructuous and nothing survive in these petitions. However, the petitioners may be given liberty to participate in the tender to be floated in future.

3. Considering the submissions made by the learned counsel



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appearing for the petitioners, the first respondent is directed to float tender immediately after the expiry of the contract period in which, the petitioners are at liberty to participate in the tender to be floated in future.

4. Accordingly, all the Writ Petitions stand dismissed as infructuous. Consequently, connected miscellaneous petitions are closed. There shall be no orders as to costs.

13.06.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts

To

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G.K.ILANTHIRAIYAN. J.

rts

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