



W.P.No.16157 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2024

CORAM :

THE HON'BLE MR. JUSTICE S.S.SUNDAR
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

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All India Glass Bottles Traders & Welfare Federation
rep.by its President Duppala Chandra Sekhar
Having Office at Door No.108/206
Udumalai Anaimalai Main Road
Somandurai Chittur, Anaimalai Taluk
Coimbatore District .. Petitioner

v.

1. The Secretary to Government
Home, Prohibition and Excise Department
Secretariat, Fort St.George
Chennai 600 009
2. The Managing Director
TASMAC Ltd.,
4th Floor CMDA Tower II
Egmore, Chennai 600 008
3. The Senior Regional Manager (Trichy Zone)
District Collector Office
Old Building First Floor
Trichy 620 001



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4. The Senior Regional Manager (Madurai Zone)

Plot No.100, Anna Nagar

Madurai 625 020

5. The Senior Regional Manager (Coimbatore Zone)

305A, Vilankurichi Road

Chintamani Co-operative Society Depot

Peelamedu, Coimbatore 641 004

6. The Senior Regional Manager (Salem Zone)

No.56, Brindavan Road, Alagapuram

Salem 636 016

7. The Senior Regional Manager (Chennai Zone)

B-4, Ambattur Industrial Estate

Chennai 600 058

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 2 to 7 to complete the tender process pursuant to the tender notices dated 13.02.2024 and 14.02.2024 within a time frame as may be fixed by this Hon'ble Court so as to avoid financial loss to the Government.

For Petitioner :: Mr.S.Thankasivan for Mr.S.Balaguru

For Respondents :: Mr.J.Ravindran
Additional Advocate General
assisted by Mr.K.Sathishkumar
Standing Counsel for R2 to R5
Mr.M.R.Gokulkrishnan
Additional Government Pleader
for R1



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ORDER

(Order of the Court was made by S.S.SUNDAR,J.)

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This writ petition is filed for issuance of a mandamus directing the respondents 2 to 7 to complete the tender process, pursuant to the tender notices dated 13.02.2024 and 14.02.2024, within a time frame as may be fixed by this Hon'ble Court so as to avoid financial loss to the Government.

2. The learned Additional Advocate General appearing for the respondent-TASMAC, on instructions, states that the tender itself referred to in the writ petition has been withdrawn on 05.07.2024.

3. Since the tender itself is withdrawn, this Court finds that the prayer in the writ petition has become infructuous. Therefore, the writ petition is dismissed as infructuous. The learned counsel appearing for the petitioner, however, states that the petitioner may be given liberty to agitate the issue which has been raised in the present writ petition, on the apprehension that there will not be any level playing field by incorporating a few conditions



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which would serve the purpose i.e., to monopolize the trade. This Court is not inclined to go into any issue, as the writ petition is simply dismissed as infructuous. Similarly, the learned Additional Advocate General has serious objections as to the maintainability of the writ petition. It is also open to the respondents to raise any other legal issue in appropriate cases. No costs.

Index : yes/no
Neutral citation : yes/no

(S.S.S.R.,J.) (N.S.,J.)
31.07.2024

ss

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