



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.34175 of 2023

and

W.M.P.No.34045 of 2023

M/s.Ontwikkel Advertising Private Limited (OWC),
Rep. By its Director M.Ramalingam,
Having its Office at, No.8/1, Century Court,
Kasthuri Estate Second Street,
Poes Garden, Chennai – 600 086.

... Petitioner

Vs.

1.The Principal Secretary / CMD,
Tamil Nadu Small Industries Corporation Limited (TANSI),
A-28, Thiru-Vi-Ka. Industrial Estate,
Guindy, Chennai – 600 032.

2.The General Manager,
Tamil Nadu Small Industries Corporation Limited (TANSI),
A-28, Thiru-Vi-Ka. Industrial Estate,
Guindy, Chennai – 600 032.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records passed by the second respondent bearing RC.No.0303/M/2022 dated 19.10.2023 and quash the same and further direct the second respondent to permit the



petitioner to continue his work as per order dated 03.05.2023 for a period of 12 months i.e., 03.05.2023 till 02.05.2024.

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For Petitioner : M/s.U.Archana

For Respondents : Mr.V.R.Kamalanathan

ORDER

The further discontinuance of work order granted in favour of the petitioner is under challenge in the present writ petition.

2. The writ petitioner is a company engaged in advertising services. The respondents granted work orders to improve the sales activities of Tamil Nadu Small Industries Corporation Limited (TANSI SMART).

3.The learned counsel for the petitioner would submit that the work order granted in favour of the petitioner has been discontinued without giving any valid reason. The respondents have not assigned any reason in the order impugned. Therefore, the impugned order is to be set aside and the petitioner should be allowed to continue to serve the respondents Tamil Nadu Small Industries Corporation Limited (TANSI) as per the work order dated 03.05.2023.



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4. Mr.V.R.Kamalanathan, learned counsel for the respondents would oppose by stating that there is no contract exists between the parties. It is the work order placed to the petitioner to improve the sales activities. The Tamil Nadu Small Industries Corporation Limited (TANSI) has decided to develop the sales activities through its own e-commerce field, wherein the respondents have taken up a policy decision to improve sales through its own e-commerce field. Thus, the work order given was discontinued. However, the bills are settled in respect of the services already rendered by the petitioner.

5. In the absence of any contract, the discontinuance of work order cannot provide a cause for raising a dispute. Even presuming that there are some oral agreements or promises, the said issues cannot be adjudicated in the writ proceedings.

6. The fact remains that the petitioner has done some advertising services through social media like Facebook, Instagram etc., based on the work order granted. Since the discontinuance of work order is a decision taken by the respondent / organisation, the petitioner cannot challenge the



same. The dues due to the petitioner has already been settled. If at all some of the bills are not settled, then the petitioner is at liberty to approach the respondents with details and on such approach the respondents are bound to settle all the pending dues, if any to the petitioner.

7. With these observations, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

05.04.2024

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

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S.M.SUBRAMANIAM, J.

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