



Cont. P. No.929 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 18.03.2025

CORAM :

The Hon'ble MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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National Federation of Farmers Procurement,
Processing and Retailing Cooperatives
of India Ltd., (NACOF)
A Cooperative Society, registered under
Ministry of Agriculture and Cooperatives,
Govt. of India, Rep. by its State Manager Mr.N.Gurusamy,
No. 5/1 and 5/2, "A", 1st Floor, Gopalamenon Road,
Kodambakkam, Chennai - 600024.

.. Petitioner

-VS-

1. Thiru.A.Shanmuga Sundaram, IAS
The Managing Director,
Tamilnadu Civil Supplies Corporation (TNCSC),
CMRL Admin Building, Poonamallee High Road,
Koyambedu, Chennai-107.
2. Thiru.D.Mohan, IAS,
The Commissioner,
Commissionerate of Civil Supplies,
Ezhilagam, Chepauk, Chennai 600 005.
3. Thiru.Pratik Tayal, IAS,
The Deputy Secretary (Budget),
Finance Department, Government of Tamilnadu,
Secretariat, Chennai 600 009.

.. Respondents



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Petition filed under Section 11 of the Contempt of Courts Act, 1971, to initiate contempt proceedings for the willful disobedience and to punish the respondents herein for not complying with the direction of this Court in the order dated 10.03.2025 made in W.M.P.Nos.9129, 9127, 9131 of 2025 in W.P.No.8150 of 2025.

For Petitioner : Mr.Vijay Narayan
Senior Counsel
for Mr.M.Velmurugan

For Respondents : Mr.D.Ravichandran
Spl. Govt. Pleader.

* * * * *

ORDER

The contempt petition is filed bringing to the notice of the Court the willful disobedience of the interim order passed in W.P.No.8150 of 2025 dated 10.03.2025. The said interim order is extracted hereunder:

"Issue notice of motion returnable by 07.04.2025. Private notice is also permitted.

2. The learned Senior Counsel appearing on behalf of the petitioner would submit that the petitioner is about to participate in the other connected tender. In view of the



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present proceedings, the respondents are proceeding to blacklist the petitioner. If the petitioner is blacklisted, they will not be able to participate in the future tenders. He would further submit that even during the subsequent negotiations after the tender, the price difficulty was expressed and the respondents are not considering the subsequent conduct of the parties during the negotiations.

3. In view thereof, let there be an interim order restraining the respondents from blacklisting the petitioner till then.

4. Call this matter on 07.04.2025."

2. Mr.Vijay Narayan, learned senior counsel appearing on behalf of the petitioner in the contempt petition, would draw the attention of this Court to page 58 of the typed set of papers relating to the tender summary reports. The petitioner's tender is rejected on the ground that it fails in respect of condition 3(9). A reading of the condition 3(9) states that for any supply that is pending in respect of the Corporation also, the tender can be rejected. Therefore, I am not able to hold that by considering the petitioner as blacklisted, the respondents have non-suited the petitioner. The blacklisting is a penal provision and the supply remaining pending is yet another fact which cannot be said to be synonymous with blacklisting.



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3. In view thereof, I am unable to see any disobedience much less willful disobedience of the order of this Court. The contempt petition is, therefore, closed.

4. The learned counsel for the respondents submits that the counter is sent for signature and will be served on the learned counsel for the petitioner by tomorrow. Originally, the hearing of the writ petition was posted on 07.04.2025. Let the matter be preponed and posted for hearing on 24.03.2025, so that the parties can argue the main writ petition itself.

Registry to post the writ petition for hearing on 24.03.2025. This contempt petition stands closed.

18.03.2025

Neutral Citation: Yes/No

sra



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To

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2. The Commissioner,
Commissionerate of Civil Supplies,
Ezhilagam, Chepauk, Chennai 600 005.
3. The Deputy Secretary (Budget),
Finance Department, Government of Tamilnadu,
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D.Bharatha Chakravarthy, J.

(sra)

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