



WP No. 31936 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 31936 of 2025

1. Servo Packaging Limited
Represented By Director Suresh
Kumar Jalan, Manapet Post 88/1
Cuddaore Pondy Main Road,
Kattupakkam, Pondicherry 6097 402.

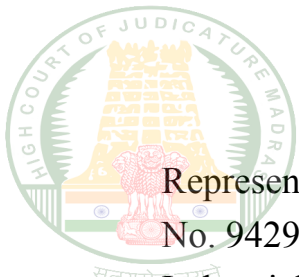
Petitioner(s)

Vs

1. The Secretary
Department Of Civil Supplies And
Consumer Affairs, Main Building,
Chief Secretary, Puducherry 605 001.

2. Director
Department Of Civil Supplies And
Consumer Affairs, Industrial Estate
Road, Thatanchavady,
Puducherry 605 009.

3. Puducherry State Co Operative
Consumers Federation Ltd



Represented By Managing Director,
No. 9429 Regd Office A3 And A 39
Industrial Estate, Thatanchavady,
Puducherry 605 009.

Respondent(s)

PRAYER

Directing the 3rd respondent to implement the extension order issued in favour of the petitioner by communication dated 30.05.2025 vide Ref No. PSCCF/C/Rice/1701/2025.

For Petitioner(s): Mr.M.S.Krishnan
Senior Counsel
for K.S. Karthik Raja

For Respondent: Mr.R.Sreedar
Additional Government Pleader (Puducherry)

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the 3rd respondent to implement the extension order issued in favour of the petitioner by communication dated 30.05.2025.

2. Heard Mr.M.S.Krishnan, the learned Senior Counsel for K.S. Karthik Raja and Mr.R.Sreedar, the learned Additional Government Pleader (Puducherry) appearing for the respondents.



3. The case of the petitioner is that on 07.10.2024, the 3rd respondent published the e-tender for supply of white colour single boiled rice for Puducherry and Karaikal regions for the period from December 2025 to March 2025. The petitioner participated in this tender and he was the successful bidder. The petitioner completed his quota of supply of rice till March 2025 in May 2025. Subsequently, the Government decided to extend the supply period to the existing suppliers for the period of 4 months from April 2025 to July 2025. The Government of Puducherry also decided to float a new tender for supply of rice from August 2025 to April 2026.

4. The 3rd respondent extended the existing contract for the period of 4 months from April 2025 to June 2025 by communication dated 30.05.2025. The petitioner also accepted it. Thereafter the 3rd respondent had negotiated for fixing the rate and other terms and conditions. The petitioner expressed his inability to renegotiate the price of the rice. The 3rd respondent also accepted the views of the petitioner and placed further monthly order for May 2025 quota on 14.07.2025.

5. The grievance of the petitioner is that the 3rd respondent cancelled the extension of the contract given to the petitioner and proceeded to issue a fresh tender notice dated 16.07.2025 by inviting prospective bidder for supply of rice from June 2025 to May 2026. Aggrieved by the same, the present writ petition is filed before this Court for a direction to the 3rd respondent to implement the



extension order issued in favour of the petitioner.

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6. This Court carefully considered the submissions made on either side and perused the materials placed on record.

7. The learned Senior Counsel appearing for the petitioner submitted that when already the order has been placed to the petitioner for supply of white rice for 4 months and the petitioner has acted upon the same, it is not left open to the respondents to call for fresh tender and fix the period from June 2025 to May 2026. The learned Senior Counsel submitted that if at all the period is fixed, it should have been fixed only after expiry of 4 months period, which was granted to the petitioner for supply of rice. It was therefore contended that the petitioner has no intention to stop the auction and a direction must be given to the respondents to get the supply for balance 2 months from the petitioner and thereafter, procure the rice from the successful bidder in the auction.

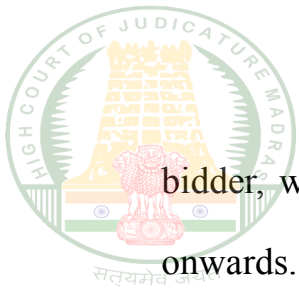
8. Per contra, the learned Additional Government Pleader on behalf of the respondents produced the written instructions. It is seen that pursuant to the earlier order passed by this Court in W.P.No.27148 of 2025, dated 14.08.2025, the financial bid has been opened on 20.08.2025 and the committee has recommended M/s.Kendriya Bhandar as a successful bidder. It was therefore submitted that the relief as sought for by the petitioner is unsustainable.

9. In the considered view of this Court, the period of four months was extended to the petitioner from April 2025 to July 2025. Ultimately, when the



petitioner was prevented from supplying the rice for the balance 2 months, the petitioner should have approached this Court then and there and questioned the same. The tender notification was issued on 16.07.2025 and the petitioner did not question the same and yet another person had challenged it by filing W.P.No.27148 of 2025 before this Court. The same was considered by this Court in detail and an order was passed on 14.08.2025, dismissing the writ petition and permitting the respondents to proceed further with the finalisation of the financial bid. Surprisingly, the present writ petition came to be filed on 19.08.2025, exactly within 5 days after the dismissal of the earlier writ petition. This Court is quite curious about the timing of filing of the writ petition. If really the petitioner had a genuine grievance, the petitioner should have approached this Court at the earliest point of time and the petitioner should not have waited till the tender notification was issued and the same was put to challenge and it was dismissed by this Court on 14.08.2025 and thereafter knocked the doors of this Court to enforce the contract for the period from April 2025 to July 2025.

10. In the considered view of this Court, if the petitioner has suffered any loss due to the non-compliance of the terms of the contract, the petitioner must only approach the competent forum seeking for compensation. The petitioner cannot approach this Court at this stage and seek for a relief for permitting the petitioner to supply the rice for the balance two months and if any such relief is granted, it will indirectly amount to interfering with the right of the successful



bidder, who has already been granted contract to supply rice from June 2025 onwards. The present writ petition is an indirect way of getting over the earlier order passed by this Court in WP.No.27148 of 2025 dated 14.08.2025.

11. This Court does not find any merits in the present writ petition, and it is made clear that if the petitioner is having any grievance of not permitting them to supply the rice for the months June and July 2025, it is left open to them to seek for compensation before the appropriate forum.

12. As a result, this writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

21-08-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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Department Of Civil Supplies And
Consumer Affairs, Main Building,
Chief Secretary, Puducherry 605 001.

2.DIRECTOR

Department Of Civil Supplies And
Consumer Affairs, Industrial Estate
Road, Thatanchavady, Puduchery 605
009.

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N.ANAND VENKATESH J.

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