



W.P.(MD)No.23900 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.23900 of 2024

and

WMP (MD) Nos.20245, 20246 and 21430 of 2024

G.Bala Senthil Kumar

: Petitioner

Vs.

1. The General Manager,
Dindigul District Cooperative Milk
Producers Union Ltd,
No.9, East Govindapuram,
Dindigul 624 001.

2. The Deputy Registrar,
Dindigul District Cooperative Milk
Producers Union Ltd,
Dindigul.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to calling for records relating to the impugned proceedings of the 1st and 2nd respondent in Proceeding No. Na.Ka.No. 581/Virpanai/2023 dated 24.09.2024 and quash the same as illegal and consequently direct the respondents to finalize the tender notification dated 11.07.2024 issued by the 1st respondent within a time stipulated by this Hon'ble Court.



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For Petitioners : Mr.M.E.Ilango

For Respondents : Mr.J.K.Jeyaseelan

Government Advocate for R2

Mr.K.Prabhu for R1

ORDER

This Writ Petition has been filed challenging the tender cancellation order passed by the respondents dated 24.09.2024 and for a consequential direction to the respondents to finalize the tender notification dated 11.07.2024 issued by the first respondent within a time frame.

2. The petitioner's case is that his father had been acting as an agent for the respondents' milk units for several years and was also nominated as a wholesale agent in Dindigul District. There are six supply routes and the petitioner was serving as the wholesale milk supply agent for route No. 2. Pursuant to the tender notification dated 11.07.2024, the respondents initially opened the technical bid on 21.08.2024 and completed the necessary formalities by 22.08.2024. Thereafter, the Sub-Committee, which had been constituted to finalize the tender, directed the opening of the commercial bid for the finalization of the tender process. The petitioner also obtained a copy of these proceedings. The



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respondents had initially agreed to the terms of the single tender process, and the petitioner had complied with all the requirements set forth. The main grievance of the petitioner is that, despite being fully aware of and having accepted the single tender, the respondents proceeded to cancel the tender without prior notice or valid justification. Aggrieved by this, the petitioner has filed the present writ petition.

3. The learned Government Advocate appearing on behalf of the second respondent submitted that the petitioner had submitted a representation on 12.09.2024, requesting the finalization of the tender. The said representation will be considered by the respondents within the time frame as fixed by this Court.

4. Heard both sides.

5. On perusal of the records, it is observed that the tender notification was cancelled without assigning any proper reason. Further, considering that the tender notification remains in effect, this Court is inclined to set aside the impugned proceedings dated 24.09.2024, passed by the second respondent.



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6. Accordingly, the proceedings dated 24.09.2024 passed by the first respondent is hereby set aside and the matter is remitted back to the first respondent for fresh consideration and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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