



WEB COPY



W.P.No.35922 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.35922 of 2023

And

W.M.P.Nos.35921 and 35923 of 2023

M.Santhosh Kumar

... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Marketing Corporation Limited,
CMDA Tower II, 4th Floor,
Gandhi Irvin Road, Egmore,
Chennai – 600 008.

2.The Senior Regional Manager,
Tamilnadu State Marketing Corporation Limited,
Trichy – 620 001.

3.The District Manager,
Tamilnadu State Marketing Corporation Limited,
Office of the District Collector,
Perambalur.

4.Chandrasekaran

5.M/s.Tulasi Stores,
Rep. by its Proprietor
Ranganathan

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to



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issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the second respondent dated 17.12.2023 for the Tender process held on 16.12.2023 and to quash the same in respect of TASMACH Retail Vending Shop No.6311, Perambalur and consequently directing the 2nd and 3rd respondents to conduct the re-tender process in respect of the Shop No.6311 within a time stipulated by this Hon'ble Court.

For Petitioner : Mr.J.Shakul Hameed

For Respondents : Mr.K.Balakrishnan for R1 to R3
Mr.M.Muthappan for R4
R5 – No Appearance

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records relating to the order passed by the second respondent dated 17.12.2023 for the Tender process held on 16.12.2023 and to quash the same in respect of TASMACH Retail Vending Shop No.6311, Perambalur and consequently directing the respondents 2 and 3 to conduct the re-tender process in respect of the Shop No.6311 within a time stipulated by this Court.



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2.The learned counsel appearing for the petitioner submitted that the petitioner filed this writ petition challenging the rejection of the petitioner's application for participating in the tender process, however, the period of tender is already over. Hence this Court may, without going into the merits of the case, grant liberty to the petitioner to make representation to the respondents seeking refund of the EMD amount and issue direction to the respondents to consider the said representation and to pass appropriate orders.

3.Recording the submission made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, grants liberty to the petitioner to make representation to the respondents seeking refund of the EMD amount, within a period of two weeks from the date of receipt of a copy of this order. If any such representation is made by the petitioner, the respondents shall consider the same, if the same is legally permissible and shall pass appropriate orders, within a period of six weeks thereafter.



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4.The writ petition is disposed of. No costs. Consequently,
the connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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M.DHANDAPANI,J.
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