

HONOURABLE SMT. JUSTICE V.SUJATHA
WRIT PETITION Nos.38641 of 2022 and 1896 of 2023

COMMON ORDER:

Since the issue involved in both the writ petitions is one and the same, these two writ petitions are taken up together and disposed of by way of common order:

W.P.No.38641 of 2022

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“....to issue a Writ, One in the nature of a Writ of Mandamus or any other appropriate Writ, Direction or Order questioning the action of the 2nd respondent in imposing the 10th condition in tender notification 428/2022-S5 against the E Procurement Guideline as well as G.O.Ms.No.142 dated 20.12.2004 is illegal, arbitrary and violation of article 14, 21 and 300-A constitution of India and consequently set aside the tender notification No.428 / 2022-S5 dated 23.11.2022”

W.P.No.1896 of 2023

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“....to issue an order or orders or direction or a writ one in the nature of Writ of Mandamus declaring the action of the respondents in issuing Tender Notification for extraction and transportation of long bamboo vide notice No.428/2022-S5 in violation of guidelines prescribed in G.O.Ms.No.13, Environment, Forest Science & Technology (FOR III) Department dt 12.02.2002 as illegal, arbitrary and in violation of Articles 14, 19, 21 of the Constitution of India and consequently set aside the impugned Tender Notification for extraction and transportation of long bamboo vide notice No.428/2022-S5 and direct the respondents to implement G.O.Ms.No.13, Environment, Forest Science & Technology (FOR III) Department dt 12.02.2002 in toto for issuance of any such Tender Notification....”

2. While ordering notice before admission on 29.11.2022, this Court passed the interim order in W.P.No.38641 of 2022, which reads as follows:

“...the petitioner is permitted to participate in the Tender process, but the same cannot be finalized for a period of two weeks”.

3. At the time of hearing, learned Government Pleader for Forests appearing for respondents filed a memo, wherein it is stated as follows:

“the respondent No.2 in his letter in Rc.No.428/2022/S5 dated 19.04.2022 has stated that the tenders called for wherein petitioner participated and raised certain objections in the present writ petition has become infructuous as the validity of the tenders called expired by 31.03.2023. In view of interim orders of this Hon’ble Court dated 29.11.2022 the tender process is stopped and thereby the extraction of long bamboo is stopped. Meanwhile the tender period has expired.”

4. In view of the same, these writ petitions are dismissed as infructuous. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this case, shall stand closed.

JUSTICE V.SUJATHA

Date : 10.11.2023
KGR

HONOURABLE SMT. JUSTICE V.SUJATHA

WRIT PETITION Nos.38641 of 2022 and 1896 of 2023

Date : 10.11.2023

KGR