



W.P.No.25136 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.25136 of 2023
and W.M.P.Nos.24561 and 24563 of 2023

M/s.ARS Constructions,
Contractor,
Rep. by its Proprietor
Mr.Ravi
Having his office at
No.1/321, Servoy (Post)
Attur Taluk,
Salem District-636 121

... Petitioner

Vs.

1.The Principal Secretary to Government,
Public Works Department,
St.George Fort,
Chennai-09

2.The Superintending Engineer,
PWD Buildings, (Construction and Maintenance)
Salem Circle,
Salem-7



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3.Kuberan
Proprietor
Kuberan & Co.,
Thandavarayapuram,
Attur Taluk,
Salem District.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned email communication dated 29.07.2023 send by the second respondent and quash the same as illegal and consequently, direct the second respondent to consider the petitioner's bid application vide ID.No.787124 in accordance with law within the time frame stipulated by this Court.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.M.Bindran
Additional Government Pleader for R1 and R2

ORDER

When the matter came up before this Court on 25.08.2023, this Court passed the following order:

"The petitioner has participated in a tender floated by the second respondent which involves construction of a school building under NABARD RIDF scheme. According to the petitioner, his bid was rejected through an e-mail dated



29.07.2023. *Challenging the same, the petitioner is before this Court.*

2.The learned counsel for the petitioner submitted that he had quoted the least amount among all the bidders but, his bid was rejected without assigning any reason.

3.Mr.M.Bindran, learned additional Government Pleader takes notice for the respondents 1 and 2.

4.The learned additional Government Pleader submitted that while the official portal will only disclose that the petitioner's application was rejected, the ground of rejection will be separately mailed to the tenderer's bid ID. He further submitted that the petitioner's application was rejected essentially because the petitioner had not produced a Site Visit Certificate."

2.The learned counsel for the petitioner, on instruction, submitted that the petitioner had since opened his tender bid ID, and it was stated that his tender was rejected because he did not produce the site verification certificate.



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3.Mr.M.Bindran, the learned Additional Government Pleader appearing for the respondents 1 and 2, made a statement that the third respondent has since been awarded the contract.

4.The learned counsel for the petitioner, however conceded that the tender verification certificate has not been produced.

5.Inasmuch as the petitioner's bid is not complete in material particulars, he may not be able to challenge and sustain this petition.

6.In view of the above, this writ petition stands dismissed. No Costs. Consequently, the connected miscellaneous petitions are closed.

01.09.2023

Anu

Index : Yes / No

Neutral citation : yes/no



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N.SESHASAYEE, J.



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