



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.10.2024

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P.NO.29873 of 2024

and WMP. Nos.32578 and 32580 of 2024

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M/s.SGK Blue Metals,  
Partnership Firm, Rep. By its Partner S.N.Palanisamy,  
5/250,A, Narasingapuram, Krishnapuram PO,  
Udumalpet, Tiruppur.

... Petitioner

Vs.

1. The Secretary to Government,  
Highways & Minor Ports Department,  
Secretariat, Chennai-9.

2. The Superintending Engineer,  
Highways Department,  
Construction & Maintenance,  
39, College Road, Tiruppur.

3. The Divisional Engineer (H)  
Highways Department,  
Construction & Maintenance,  
Dharapuram, Tiruppur.

4. The Director,  
Directorate of Vigilance and Anti-Corruption,  
293, MKN Road, Ramapuram,  
Collectors Nagar, Alandur, Chennai-16.

..... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 & 3<sup>rd</sup> to consider the bids of the petitioner along with the work site Inspection certificate and decide the tenders as per the provisions of the Tamil Nadu Transparency of Tender Notice No.10/2024-25/HDO dated 27.08.2024.



For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.Yokesh Kannadasan, SGP

### **ORDER**

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The writ petitioner seeks a direction to the respondents 2 & 3<sup>rd</sup> to consider the bids of the petitioner along with the work site Inspection certificate and decide the tenders as per the provisions of the Tamil Nadu Transparency of Tender Notice No.10/2024-25/HDO dated 27.08.2024.

2. It is the case of the petitioner that the petitioner is a partnership firm which is engaged in the business of carrying out civil engineering works and is recognized as class I contractor with the Tamil Nadu Highways Department under the category value of Rs.75 lakhs. On 27.09.2024, the petitioner bid was rejected by the respondent as they have not submitted the work site inspection certificate. It is the grievance of the petitioner that the rejection in issuance of the work site inspection certificate resulted in a huge loss to the petitioner and the same is done by the respondent with malafide intention to eliminate the petitioner from submitting a valid bid and amounts to discrimination. Hence, the present writ petition seeking with the above prayer.

3. The learned counsel for the petitioner submitted that this Court may direct the 3<sup>rd</sup> respondent to forthwith issue the work site inspection certificate to the petitioner and direct the second and third respondents to consider the petitioner bids along with the said certificate with an extended timeline.



4. Heard the learned counsel for the petitioner as well as the learned Standing Counsel and perused the materials available on record.

6. Considering the facts and circumstances of the case, this Court directs the petitioner to make a fresh representation to the respondents along with necessary documents and also a copy of this order within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of which, the respondents shall consider the petitioner's representation and pass appropriate orders within a period of two weeks thereafter.

7. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

04.10.2024

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To:

The Assistant Executive Engineer,  
Operation & Maintenance,  
Tamil Nadu Electricity Board,  
Senmthanadu,  
Ulundurpet Taluk,  
Kallakurichi District.



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**M. DHANDAPANI .J.**

**rli**

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