



W.P.No.7472 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.7472 of 2025

and

WMP.Nos.8359 & 8360 of 2025

R.Rama Rao

... Petitioner

VS.

The Superintending Engineer,
Storm Water Drain Department,
Rippon Building,
Greater Chennai Corporation,
Chennai 600 003.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorari calling for the records relating to the E-tender notification in Tender Notice No.SWDC.No.B3/378/2025 dated 15.02.2025 (29 works) on the file of the respondent quash the same in so far as the compliance of S1.No.11 regarding site visit certificate of Check List for submission of Bid is concerned and pass such further orders.



WEB COPY



W.P.No.7472 of 2025

For Petitioner : Party-in-person
For Respondent : Mr.M.Suresh Kumar
Addl.Advocate General
Assisted by Mr.G.T.Subramanian
Standing Counsel

ORDER

A memo for withdrawal of vakalat dated 04.03.2025 was filed by the erstwhile counsel appearing for the petitioner stating that he has given a change of vakalat to the petitioner and has returned the entire papers to the petitioner. The same is taken on record.

2. By consent of both the party-in-person/petitioner and the learned Additional Advocate General for the respondent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The present writ petition has been filed challenging the Tender Notice of the respondent dated 15.02.2025 and quash the same.



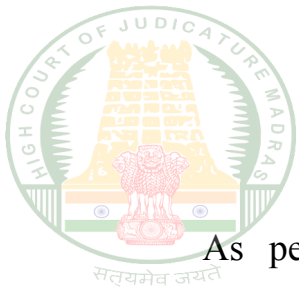
W.P.No.7472 of 2025

WEB COPY

4. According to the petitioner, he is a registered as Class-I contractor in the Greater Chennai Corporation, Highways and Public Works Department. On 15.02.2025, the respondent issued Tender Notification regarding the Demolition and Reconstruction/New Construction of Storm Water Drain at various streets in Zones - 4, 5, 7 to 11, 13 & 14 of Chennai Corporation. As per the Tender Notification, the bid must be submitted through online upto 04.03.2025 at 15.00 hrs. The tender documents (bids) received through online shall be opened on 05.03.2025 at 15.30 hrs.

5. It is submitted that as per instruction to bidders, as per Clause 6.1 of the Instructions to Bidders (ITB) is extracted hereunder :-

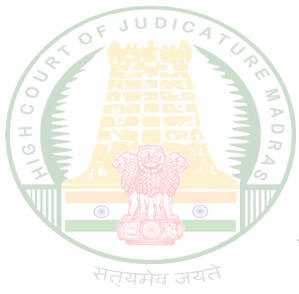
6.1. The Bider at the Bider's own responsibility and risk, is encouraged to visit and examine the site of works and its surroundings and obtain all information that may be necessary for preparing the Bid and entering into a contract for construction of the works. The cost of visiting the site shall be at the Bidder's own expense.



W.P.No.7472 of 2025

As per Clause 6.1 of the tender bid document (Pre-qualification Document) issued by the respondent, there is already a requirement for the tenderers to inspect the project site before submitting the bid. Therefore, the requirement of certificate is not required. The exercise seems to know who are the tenderers. It is not mandatory to submit Site Visit Certificate of Check List as per instruction to bidders or specific tender conditions other than mentioned in the check list.

6. It is further submitted that as per the check list for submission of bids mandates the bidders shall check the submission of relevant details and documents as mandated in the tender documents before submission of bids. But, there is no such mandatory condition for the production of Site Visit Certificate in the instruction to bidders and also in the tender documents. It is not clearly mentioned by the respondent that if the site visit certificate is not submitted by the petitioner, the entire bid of the petitioner will be rejected. Aggrieved by the above said condition, the petitioner has filed the present writ petition.



W.P.No.7472 of 2025

WEB COPY

7. The learned Additional Advocate General appearing for the respondent submitted that since the petitioner has already visited the site works, the Site Visit Certificate of Check List will be issued by the Executive Engineer of the respective Zone of the Corporation of Chennai.

8. It is submitted by the petitioner that the Site Visit Certificate format should be obtained from the respondent and the same should be submitted to the concerned Zonal Executive Engineer and on receipt of the same, Site Visit Certificate of Check List will be issued to him. The petitioner has already visited the site works on 27.02.2025 and he has also sent a mail on the same day itself to the Corporation. But, Site Certificate of Check List has not been issued to the petitioner till date.

9. Heard both sides and also perused the materials available on record.

10. Considering the submission made on both sides, **the concerned Zonal Executive Engineer of the Corporation of Chennai is directed to issue a Site Certificate of Check List on 06.03.2025 at 11.00 a.m.**



WEB COPY



W.P.No.7472 of 2025

J.SATHYA NARAYANA PRASAD, J.

kkd

11. This writ petition stands disposed of with the above direction.

No costs. Consequently, connected miscellaneous petitions are closed.

05.03.2025

Index : Yes/No.

Internet : Yes/No.

Neutral Citation : Yes/No

Speaking : Non-speaking Order

kkd

To

The Superintending Engineer,
Storm Water Drain Department,
Rippon Building,
Greater Chennai Corporation,
Chennai 600 003.

W.P.No.7472 of 2025
(2/2)