



W.P.No.13238 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:09.04.2025

Coram:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13238 of 2025

and

W.M.P.Nos.14807, 14811 and 14812 of 2025

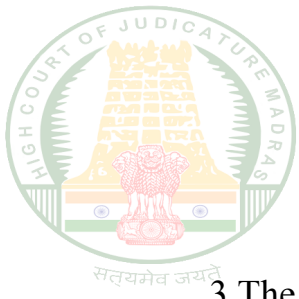
M/s V.Best Engineers
Rep.by its Managing Partner,
Mr.K.Vignesh
No.2, New Vellala Street,
Pandamangalam, Woraiyur,
Trichy 620 003.

.. Petitioner

/versus/

1.The State of Tamil Nadu
Rep.by its Secretary to Government,
Department of Higher Education,
Secretariat, Fort St.George,
Chennai 600 009.

2.The Secretary to Government,
Government of Tamil Nadu,
Department of Public Works,
Secretariat, Fort St.George,
Chennai 600 009.



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3.The Director of Technical Education,
Directorate of Technical Education,
Technical Education Department,
No.53, Sardar Patel Road, Guindy,
Chennai 600 025.

4.The Chief Engineer,
Public Works Department,
Technical Education Circle,
Chennai 600 025.

5.M/s Vasanth Electricals
Rep.by its Partner,
No.31A, Anna Nagar,
Subramaniyapuram,
Trichy-20.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the 4th respondent pertaining to the impugned rejection order for Tender ID 2024 HE 509598-1 updated on 19.03.2025 and the consequential impugned letter bearing Lr.No.DB/DO/T./2024-25/TEC dated 21.03.2025 issued by the 4th respondent and quash the same and consequently, direct the 4th respondent to declare the petitioner and successful L1 bidder in respect of the tender works in Government Polytechnic Colleges at Keelakanavai in Perambalur District, pursuant to e-Tender Notice No.52 CE/DO.1/TEC/2024-25, dated 03.12.2025.



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For Petitioner :Mr.G.Adityaraj
For Respondents :Mr.Indhuhala
AGP for R1 to R3
Mr.V.Manoharan, AGP for R4

ORDER

The Writ petition is filed for a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 19.03.2025 and the consequential order dated 21.03.2025 issued by the 4th respondent to quash the same, consequently to declare the petitioner as the successful L1 bidder in respect of the tender, that was called for by tender notice dated 03.12.2024.

2. The case of the petitioner is that the the above tender notice was called for by the respondents for carrying out electrical works in the Government Polytechnic College at Perambalur. The petitioner participated in the said tender. According to the petitioner, the petitioner is fully qualified, as per the tender conditions and when the tender was scrutinized and the results were uploaded, arbitrarily by the impugned order, petitioner



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is shown as unqualified and the fifth respondent is shown as the successful bidder.

3. According to the leaned counsel for the petitioner, the petitioner is the partnership firm in the name and style M/s V.Best Engineer's Firm. Originally, Tr.M.Vignesh and Tmt.V.Indrani, were the partners. Subsequently, the partnership is reconstituted by inducing one Tmt.Thenmozhi, as a partner in the place of Tmt.V.Indrani. Therefore, when presently they obtained solvency certificate, the solvency certificate reveals the name of the current partners. As a matter of fact, during the process of scrutiny, the doubt was also raised and the petitioner has given this information. The original partnership deed will show the name of Tr.M.Vignesh and Tmt.V.Indrani. But, however, there is a subsequent reconstitution, which will show only in the name of Tr.M.Vignesh and Tmt.Thenmozhi. Therefore, knowing fully well without any reason whatsoever, the petitioner is disqualified and no reason was mentioned in the website and therefore, the present writ petition.



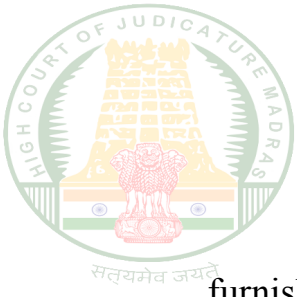
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4. When the matter came up for admission, the learned Additional Government Pleader appearing for respondents would submit that the tender committee scrutinised the tender and as per the written instructions, for the following reasons, the petitioner was stated to be not qualified. The same reads as following:-

“The solvency certificate uploaded in the online tender document in different name which is not in the registration certificate. The M/s V Best Engineer’s Firm registered with two partners namely Thiru.M.Vignesh & Tmt.V.Indrani vide letter No.DB/HDO/DO/F.18/2022 dated 21.10.2022 issued by the Chief Engineer, PWD, Trichy Region, Trichy. The solvency certificate for the firm was uploaded in the name of Tmt.Thenmozhi for the value of Rs.2.50 crores which is contrary with the uploaded registration certificate partners name. Hence, the condition is not satisfied.”

5. If that be the case, let the reasons for the disqualification be



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furnished to the petitioner by tomorrow (i.e.)10.04.2025 and the learned Additional Government Pleader shall instruct the authorities to furnish the reasons tomorrow through e-mail, the same shall be done without waiting for the certified copy of this order.

6. The learned counsel appearing for the petitioner would submit that the petitioner is entitled to file an appeal under Section 11 of the Tamil Nadu Tender Transparency in Tenders Act,1998 and therefore, within 10 days from today when the reasons are communicated, the petitioner will file an appeal and prays that the further proceedings be stayed by this Court until then. When the petitioner is entitled to file an appeal under Section 11 of the Act, the jurisdiction of this Court cannot be utilized for the purpose of obtaining interim order. As a matter of fact, a reading of Section 11, it can be seen that while disposing of the appeal, the authority can pass any orders, that would include an interim order. The petitioner can seek such interim order also in the appeal. With the liberty kept open for the petitioner, the Writ Petition is disposed of. As and when such appeal is filed, the appellate



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Authority shall pass final order in accordance with law, within a period of four weeks, from the date of filing of the appeal. Consequently, connected Miscellaneous Petitions are closed. No costs.

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Neutral citation:no

To

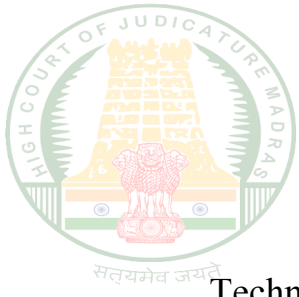
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Technical Education Circle,
Chennai 600 025.

5.The Additional Government Pleader,
High Court, Madras.



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