



W.P.No.13700 of 2025

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D.BHARATHA CHAKRAVARTHY,J.

This matter is listed today before this Court under the caption
“for Being Mentioned”.

2. It is seen that in the paragraph No.6(i) of the order dated 15.04.2025
it has been wrongly mentioned as “16.04.2024” instead of “16.04.2025”.

3. The Registry is directed to carryout the necessary amendment and
issue a fresh order copy.

03.06.2025

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Dna

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13700 of 2025
and W.M.P.Nos.15397 and 15398 of 2025

M/s.Meha Construction,
Rep.by its Proprietor,
Gopi Ramasamy

.. Petitioner

Versus

1. The Superintending Engineer (Highways),
NABARD and Rural Roads Circle,
Opp. to Government Workshop,
Manakkadu Bus Stop,
Hasthampatty,
Salem - 636 007.

2. The Divisional Engineer (Highways),
NABARD and Rural Roads,
Opp. to Rainbow Bus stop,
Coimbatore - 641 018.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorarified Mandamus to call for the entire records pertaining rejection of petitioner's bid ID 1286453, by the 1st respondent, intimating through its impugned e-mail communication, dated 11.04.2025 with respect to the tender floated by the 1st respondent in Reference No.38/2024-2025/SDO/Dated 12.02.2025 and quash the same with a consequential direction directing the 1st



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respondent to proceed with the tender process along with the petitioner's bid, within the time frame as may be fixed by this Court.

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For Petitioners : Mr.K.M.Arun

For Respondents : Mr.V.Manoharan,
Additional Government Pleader

ORDER

This Writ Petition is filed for a Certiorarified Mandamus to call for the entire records pertaining to the rejection of petitioner's bid ID No.1286453 through the e-mail communication, dated 11.04.2025 with respect to the tender floated by the first respondent in Reference No.38/2024-2025/SDO/Dated 12.02.2025 and to quash the same and consequently, directing the first respondent to proceed with the tender process along with the petitioner's bid.

2. The learned Counsel for the petitioner would submit that without mentioning any reason whatsoever, by the impugned communication, the tender of the petitioner was rejected. As a matter of fact, it is rejected ostensibly for not uploading the Site Inspection Certificate. The petitioner had even visited the site. However, it was mentioned that already, a Writ Petition was pending in W.P.No.12491 of 2025 challenging the tender itself and only because of the same,



the petitioner could not approach this Court earlier asking for a Site Inspection Certificate. In view thereof, the respondents erred in rejecting the petitioner's bid.

3. Per contra, *Mr.V.Manoharan*, the learned Additional Government Pleader, taking notice for the respondents, would submit that as per the tender conditions, the petitioner has to inspect the site and to get the Site Inspection Certificate by clearly mentioning the value of the same after due inspection. The same has not been done by the petitioner. The e-mail communication only communicates the result and in all cases of tender, once the bid is opened and the successful bidder is declared, thereafter, upon the approach of the petitioner, reasons in detail are furnished. In this case also, the detailed reasons for rejecting the petitioner's bid, will be furnished to the petitioner. It is his case that already, price bid has been opened.

4. I have considered the rival submissions made on either side and perused the material records of the case.

5. As rightly contended by the learned Additional Government Pleader, at the pre-opening stage, only the rejection of the bid alone is communicated and the



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practice that is followed by the respondents is to communicate the reasons only after the opening of the price bid. Now, it is stated that the respondents will forthwith communicate the reasons in detail to the petitioner. Accordingly, let the same be communicated by tomorrow. As and when the same is communicated, even if the reasons are incorrect as per the petitioner, the petitioner will be entitled to take recourse in respect of the same in the manner known to law either by filing an appeal under Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998 or such other remedies as may be permissible under law.

6. In view thereof, this Writ Petition is disposed of on the following terms:-

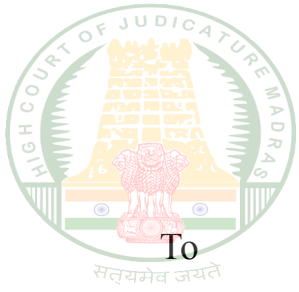
(i) The respondents shall communicate the reasons in detail to the petitioner by tomorrow i.e., by 16.04.2024;

(ii) It will be open for the petitioner to take recourse in the manner known to law as against that reasons for rejection;

(iii) There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

15.04.2025

Neutral Citation : no
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To

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