



Writ Petition No.21837 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 19.06.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21837 of 2025

and

W.M.P.No.24614 of 2025

D.Velautham
S/o.Dhatchanamoorthy

Petitioner

Vs

1.The Vice Chairman,
GPC Trichy,
HQ, Dakshin Bharat Area,
Island Grounds,
Chennai - 600 009.

2.Executive Director Veterans Welfare,
EDVW, Dakshin Bharat Area,
Golden Palm Canteen,
Royal Road,
Trichy - 620 001.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned tender publicaton in Ref.No.637/CSD/Advt/Cartron/2025-26 dated 03.06.2025 issued by the first respondent for lifting/disposal of cartons/packaging materials in respect of Trichy Army Canteen extension counter at Thanjavur and Nagapattinam to quash the same and to consequently, directing the first



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respondent to confirm the tender to the petitioner as per the selection of the earlier tender notification Ref.No.637/CSD/Advt/Carton/2025-26, dated 29.01.2025.

For Petitioner : Mr.K.Jayaraman

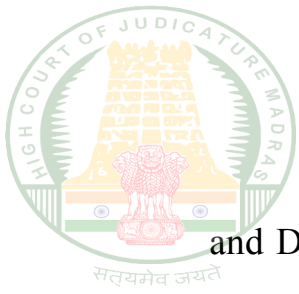
For Respondents : Ms.Sushma, Senior Panel Counsel
for Union of India

ORDER

This writ petition has been filed challenging the impugned tender notification issued by the first respondent and for a consequential direction to the first respondent to confirm the tender in favour of the petitioner as per the earlier selection that took place pursuant to the earlier tender notification dated 29.01.2025.

2. Heard Mr.K.Jayaraman, learned counsel for petitioner and Ms.Sushma, learned Senior Panel Counsel appearing for respondents.

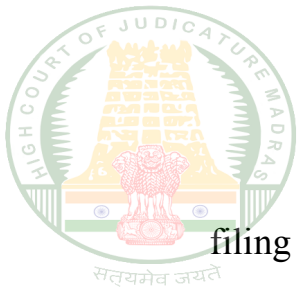
3. The petitioner participated in the tender, which was called for by the first respondent by issuing a tender notification dated 29.01.2025. As per this tender notification, the tender was called for from eligible bidders for disposal of carton/packing materials at GPC, Trichy and its extension counters at Theni, Thanjavur, Nagapattinam, Namakkal



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and Dindigul. The petitioner's bid was accepted, however, the same was kept on hold on the ground that the police verification certificate was not received by the first respondent to the effect that there is no criminal case pending against the petitioner. Even thereafter, the period was extended for seven days through letter dated 09.04.2025 awaiting police verification certificate. Since the police verification certificate did not reach the first respondent, a fresh tender notification dated 03.06.2025 has been issued and in this tender notification, certain additional terms and conditions have been added. Aggrieved by the same, the present writ petition has been filed before this Court.

4. The main ground urged by the learned counsel for the petitioner is that the first respondent was insisting for police verification certificate only insofar as the petitioner is concerned, whereas, insofar as the other bidders are concerned, such certificate was not insisted. Learned counsel further submitted that there is a First Information Report registered and it was pending investigation before the Town South Police Station, Thanjavur and this First Information Report was put to challenge before the Madurai Bench of this Court in CrI.O.P.(MD) No.8209 of 2025 and this Court entertained the quash petition and granted stay of



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filing of the final report by order dated 30.04.2025. It was, therefore, contended that the stay granted by this Court will enure in favour of the petitioner and the first respondent should not have insisted for the police verification certificate. It is further contended that certain new terms and conditions have been added in the tender notification and as a result, the petitioner has been denied the opportunity to participate in the tender.

5. In the considered view of this Court, police verification certificate is a *sine qua non* for awarding the contract to a successful bidder since the respondents are military establishments. Initially, the petitioner was informed that the contract is kept on hold since no police verification certificate was received. Thereafter, the time was extended and in spite of the same, no police verification certificate was issued. Therefore, the first respondent decided to go ahead with the fresh tender notification. Even when the criminal original petition was filed before the the Madurai Bench of this Court, what has been stayed is only the filing of the final report and a direction was issued to proceed further with the investigation. Therefore, without the police verification report, there is no question of the first respondent issuing the contract in favour of the petitioner.



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6. The terms and conditions that are included in a tender is not within the realm of judicial review. It is best left open to the first respondent to decide on the terms and conditions and this Court cannot direct the first respondent to add or not to add any conditions. Therefore, if at all the petitioner is qualified, he can always participate in the fresh tender by bringing to the notice of the first respondent regarding the pending quash petition. Except giving this clarity, no further orders can be passed in this writ petition.

This writ petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petition is closed.

19.06.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To
1.The Vice Chairman,
GPC Trichy,
HQ, Dakshin Bharat Area,
Island Grounds, Chennai - 600 009.

2.Executive Director Veterans Welfare,
EDVW, Dakshin Bharat Area,
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N.ANAND VENKATESH, J

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