



Writ Petition No.26086 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.26086 of 2025

and

W.M.P.No.29348 of 2025

C.Mohan Raj
S/o.Chandran

Petitioner

Vs

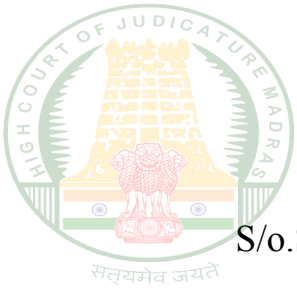
1.The Managing Director
Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Station Road, Chindadripet,
Chennai-600 002.

2.The Superintending Engineer (South)
Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Station Road, Chintadripet,
Chennai-600 002.

3.The Purchase Manager,
Purchase Department,
Chennai Metropolitan Water Supply and
Sewerage Board,
No.1, Pumping Station Road, Chintadripet,
Chennai-600 002.

4.S.Vijaya,
W/o.P.S.Sundaram

5.V. Subbaiah,



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S/o.S.Velusamy

6.S. Vijay Anand,
S/o.V.Subbaih

7.B. Srija,
W/o.Baskaran

8.Sri Murugan Water Supply,
31, SMT Towers, 5th Street, Sakthi Garden
Phase-II, Senneer Kuppam, Chennai-56,
represented by its Proprietor S.Murugan,
S/o.Sundaramoorthy.

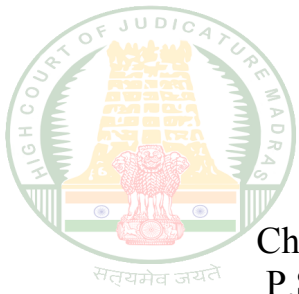
9.Vasantham Transports,
No.22, 2nd Floor, M.G.R.Street,
Venkatesan Nagar, F G.K.M. Colony,
Chennai-82, represented by its Proprietor,
S.Manivannan, S/o.Sambath.

10.G.Selvi,
W/o.Gobi

11.Iswarya Water Supply,
116/2, Old No.68/4B,
No.29/3, Muthamman Kovil Street,
Ayyanavaram, Chennai-23,
represented by its Proprietor,
A.Gobi, S/o.Ayyadurai.

12.G.R.D. Transport,
No.4/255, J.J Nagar, Mogappair,
Nakeeran Road, Chennai - 600037,
Represented By Its Proprietor,
R.Durai S/o.G.Rathinavel.

13.Sri Pachaiaimman Water Supply,
No.4/1116, 4th Block, Mogappair West,



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Chennai-37, represented by its Proprietor,
P.Sakthivel, S/o.Poomalai.

(R4 to R13 impleaded vide order dated
31.07.2025 made in WMP No.31706/2025 in
W.P.No.26086/2025 by NAVJ)

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 to 3 to hire the additional requirement of lorries from L1 bidders in the Tender Notification vide No.MAT/OT/006/2024-2025 dated 09.08.2024 who are willing to supply water to the public under the respondents 1 to 3.

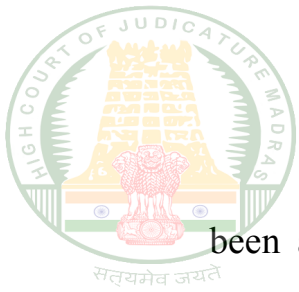
For Petitioner : Mr.K.Sudhan

For Respondents : Mr.Krishna Ravindran
Standing Counsel [R1 to R3]
Mr.R.Nalliyappan [R4 to R13]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents 1 to 3 to hire additional requirement of lorries from L1-bidders in the tender notification dated 09.08.2024 and only from those, who are willing to supply water to the public under respondents 1 to 3.

2. The main grievance expressed by the petitioner is that the petitioner quoted the lowest rate and he and his family members have



been allotted 5 lorries under the 6 KL category. The petitioners have quoted a sum of Rs.397/-. The grievance of the petitioner is that whenever there is shortage of vehicles for any reasons, the respondents are indiscriminately utilizing the services of various persons belonging to the Syndicate and as a result, for domestic, a sum of Rs.475/- is being charged for 6 KL capacity of lorry, whereas, the quote made by the petitioner was only Rs.379/-. That apart, the respondents are not maintaining a seniority list and there is no transparency in the method adopted by the respondents.

3. The official respondents have filed a counter affidavit. In the counter affidavit, they have taken the following stand:

"16. It is submitted that 417 bidders with 790 vehicles of different model years participated in the tender. The lowest rate quoted in each capacity was considered as L1 for the respective model years from 2024 to 2020. Among those who expressed willingness to match the L1 rate, seniority was fixed based on the age of the vehicle from latest to oldest. It is further submitted that, typically, most bidders own the vehicles they submit for the tender, and the age of the vehicle at the time of bid submission remains the same; there can be no subsequent change of vehicle. Therefore, the petitioner's allegation that the respondent did not conduct the tender in a transparent manner, and that certain existing lorry contractors formed an association and unilaterally declared themselves as President, Secretary and other office bearers, is false and fabricated. Further, the claim that the said association threatened the respondents indirectly by announcing a strike and citing other reasons is baseless - particularly in light of the fact that the petitioner himself is the Secretary of the Metro



Water Tanker Lorry Owners' Association.

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Upon perusal of the bids submitted, it is noted that the following vehicles belonging to the petitioner and his family members namely, his father Mr.N.Chandran, his mother Mrs.C.Vijaya, and Mr.C.Mohanraj participated in the tender process with 2020 and newer model vehicles (quoted at L3 rate), and were allotted work orders in Area III:

1. TN 02 BS 6999 (9000 litres - 2020 Model) - N. Chandran
2. TN 13 AE 7475 (6000 litres - 2024 Model) - N. Chandran
3. TN 13 AE 9339 (6000 litres - 2024 Model) - C.Mohanraj
4. TN 11 AV 2399 (6000 litres - 2024 Model) - C.Vijaya
5. TN 11 AV 2499 (6000 litres - 2021 Model) - C.Vijaya"

4. Heard Mr.K.Sudhan, learned counsel for petitioner, Mr.Krishna Ravindran, learned Standing Counsel appearing for respondents 1 to 3 and Mr.R.Nalliyappan, learned counsel appearing for respondents 4 to 13.

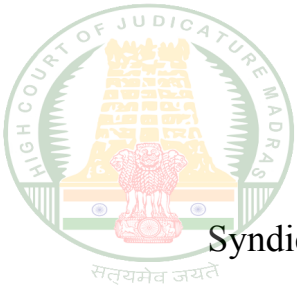
5. The relevant general conditions of contract in the tender notification are extracted hereunder:

2	Negotiations, obtaining willingness and fixing of seniority for the award of work order	Depending upon the field requirement, the willingness will be asked from the other eligible tenderers for accepting L1 rate. Those who have offered their willingness for the accepting L1 rate will be considered in the above order.
		The Seniority of the selected hired Water Tanker Lorries should be fixed for L1 contractors based on the model of the Water Tanker Lorries from the descending orders like 2024, to 2020. However, the allotment of Areas will be made based on the order of



		preference offered by the tenderer.
24	Reservation as per approved seniority list of water tanker lorry	a) If the water tanker lorry is stopped for F.C work or any major or any minor repair or due to any other unavoidable reasons, the same lorry is not required to be replaced. b) The same water tanker lorry should be produced for operation within 30 days. c) If any lorry is absent from filling point for minor repairs, major repairs and filling of diesel, they should be informed to the concerned filling point Engineer in charge for making necessary entry in the Register. d) Upon finalizing the tender, all the eligible tenderer, water tanker lorries may be selected as per the approved seniority list and kept for reservation to operate in future requirements, for cancelled/ stopped water tanker lorries as replacement. e) After work order has been issued, no amendment will be made for the replacement of the water tanker lorry under any circumstances.

6. The main grievance expressed by the learned counsel for the petitioner is that there is no transparency in the manner in which the respondents are engaging vehicles without preparing the seniority list. Therefore, according to the petitioner, the lorries are engaged from the



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Syndicate and they are charging very high rate as a result of which the department is facing loss.

7. Learned Standing Counsel appearing on behalf of respondents 1 to 3 submitted that the CMWSSB is undertaking that there is a seniority list and the persons are chosen only from the seniority list and there is no indiscriminate engagement of vehicles apart from those persons whose names are mentioned in the seniority list.

8. In the light of the above undertaking given by the respondents as per the tender condition, the grievance expressed by the petitioner has been sufficiently answered. If ultimately, the petitioner finds that the engagement of vehicles takes place indiscriminately without following the seniority list prepared by the respondents, it is left open to the petitioner to approach this Court.

N.ANAND VENKATESH, J

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This writ petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petition is closed.



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Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

1.The Chief Administrative Officer,
Combined Court Building,
Taluk Office Compound,
Kamarajar Street,
Kancheepuram - 631 502.

2.The Superintend,
Copy Section,
District Court,
Kancheepuram District.

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