



WEB COPY

W.A.Nos.68 etc., batch of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

**W.A.Nos.68, 69, 70, 72, 74, 75, 77, 78, 79 of 2025, 1972, 1973, 1974, 1975,
1976, 1971, 1968,1969, 1970, 1978, 1980, 1368, 1961, 1963, 1965 & 1966
of 2024**

and

**C.M.P.Nos. 444, 446, 448, 450, 420, 421, 424, 429, 431, 433, 435, 441,
442, 443, 452, 453 of 2025, 9834, 14155, 14089, 14097, 14104, 14108,
14113, 14128, 14132, 14145, 14115, 14134, 14139, 14143, 14127 & 14153
of 2024**

W.A.No. 68 of 2025

1.The Superintending Engineer,
Highways Department,
Construction and Maintenance,
Coimbatore - 600 018.

2.The Divisional Engineer,
Highways Department,
Construction and Maintenance,
Pollachi.

...Appellants

Vs.

1.Meenakshisundaram Kumararaja,
Proprietor of Galaxy Enterprises,
Poongavanapuram Street,
Thiruvattiyur, Chennai.



2.Hariways Lines Pvt. Ltd.,
No.14/09, Flat No.102,
Bhakthavatchalam Nagar, 4th Street,
Adayar, Chennai - 600020.

...Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 27.03.2024 made in W.P.No.5111 of 2024.

For Appellants : Mr.J.Raveendran
Additional Advocate General
Mr.P.Balathandayutham
Special Government Pleader

COMMON JUDGMENT

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

The only argument of the learned Additional Advocate General is that work experience that is produced by the 1st respondent / petitioner before the Writ Court has been found to be false. Reliance in this regard is placed on the communication from the Divisional Engineer (Highways), Construction and Maintenance, Chengalpet dated 22.04.2024. The Writ Court had pronounced the orders on 27.03.2024 therefore, this document was not available before the Writ Court. All that the writ court had done is to reject the contention of the Government that the tenderers will have to



handover hard copies of the documents uploaded to the Authority as per Condition Nos.3 & 5.

WEB COPY

2. Mr.J.Raveendran, learned Additional Advocate General would contend that apart from submitting documents online, the tenderer is also required to handover physical copies of the documents to the Superintending Engineer (Highways), Construction & Maintenance, Coimbatore Circle. The time for submitting the bids online is upto 3 p.m. on 19.02.2024 and the time for receipt of hard copies of the uploaded tender documents by Superintending Engineer is also upto 3 p.m. on 19.02.2024.

3. A reading of Clauses 3 & 5 of the conditions would show that the intention was that the bid must be submitted by 3 p.m. on 19.02.2024 and the uploaded tender documents (soft copies) shall be received by the Superintending Engineer before 3 p.m. on 19.02.2024. Any other interpretation is not possible.

4. The contention of the learned Additional Advocate General that physical copies must also be handed over with in the same time at



Coimbatore is not acceptable to us. The learned single Judge has only set aside the order rejecting the tender on this specific ground that the physical copies of the uploaded document was not handed over to the tender inviting authority within the time stipulated. We are in agreement with the interpretation of Clause 3 & 5 by the writ Court. Hence, we see no merit in the appeals.

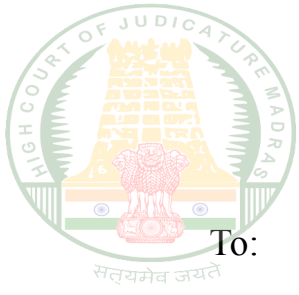
5. However, it would be open to the respondents to reject the bid of the petitioners in the writ petition, if it is found that any of the documents filed by the petitioners are not true and genuine. That will be the next stage namely, the technical scrutiny of the bids.

6. In view of the above, all the Writ Appeals are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.M., J.) (C.K., J.)
10.01.2025

kkn

Index: No
Speaking order
Neutral Citation : No



To:

WEB COPY

1. The Superintending Engineer,
Highways Department,
Construction and Maintenance,
Coimbatore - 600 018.
2. The Divisional Engineer,
Highways Department,
Construction and Maintenance,
Pollachi.

W.A.Nos.68 etc., batch of 2





WEB COPY

W.A.Nos.68 etc., batch of 2



R.SUBRAMANIAN, J.
and
C.KUMARAPPAN, J.

KKN

W.A.Nos.68, 69, 70, 72, 74, 75, 77, 78, 79 of 2025, 1972, 1973, 1974, 1975,
1976, 1971, 1968,1969, 1970, 1978, 1980, 1368, 1961, 1963, 1965 & 1966
of 2024 and connected miscellaneous petitions

10.01.2025