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W.P.Nos.34065 & 36131 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos. 34065 & 36131 of 2025

Vishnu Vidyut Engineering Pvt. Ltd.,
Rep. By the CEO & Authorised Signatory,
G.Perumal Swami,
Plot No.11, Teachers Colony,
No.1-3rd Street, Krishna Nagar,
Kolathur, Chennai – 600 099. ... Petitioner in W.P.No.34065 of 2025

Eswari Electricals Pvt. Ltd.,
Rep. By the General Manager and
Autohrized Signatory,
R.Manickavelrajan,
Plot No.64, Industrial Estate,
Perungudi, Chennai – 600096. ... Petitioner in W.P.No.36131 of 2025

Vs.

1.Tamil Nadu Power Distribution Corporation Ltd.,
Rep. By the Chairman-cum-Managing Director,
6th Floor, TANTRANSCO Building,
144, Anna Salai, Chennai – 600 002.

2.Chief Engineer, Materials Management,
(Tender Inviting Authority)
4th Floor, Western Wing, NPKRR Maaligai,
144, Anna Salai, Chennai – 600 002.

...Respondent in both petitions

Prayer in W.P.No.34065 of 2025: Writ Petition filed under Article 226 of the



Constitution of India, seeking issuance of Writ of Mandamus, directing the respondents to consider the letters of representation dated 29.08.2025, 30.08.2025, 31.08.2025, and 03.09.2025 and re-evaluate the Techno-Commercial Bid together with the connected documents submitted by the petitioner in Tender Specification No.M.174/2025-26 dated 23.07.2025 floated by the respondents, accept the Techno-Commercial Bid and to consequently open the Price Bid submitted by the petitioner.

Prayer in W.P.No.36131 of 2025: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of Writ of Certiorarified Mandamus, calling for the records relating to the rejection of the petitioner's bid by the 2nd respondent through the impugned communication dated 29.08.2025 issued by the Technical Evaluation Committee, quash the same, and consequently direct the respondents to consier the petitioner's representations dated 29.08.2025, 30.08.2025, 08.09.2025, 12.09.2025 and 13.09.2025 on merits, and to re-evaluate the petitioner's bid in accordance with the tender conditions.

For Petitioner : Mr.R.Shanmugasundaram
in both petitions Senior Counsel for M/s.Vadhana Baskar

For Respondents : Mr.P.S.Raman, Advocate General
in both petitions Assisted by Mr.D.R.Arunkumar

COMMON ORDER

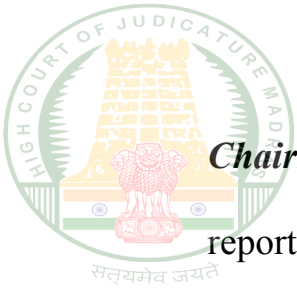


Since the issue arises in these writ petitions are one and the same, these writ petitions are disposed of by a common order.

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2. The learned Senior Counsel appearing for the petitioner would submit that the petitioner in W.P.No.36131 of 2025 participated the E-tender floated by the respondents for manufacture, supply, erection, testing and commissioning of 11 KV, 630A, 21KA SF6 insulated Non-extensible manual type vacuum Ring Main Units (RMU) (without FRTU) and associated materials including dismantling of existing outdoor structures (wherever applicable) in Chennai EDCs North & Central of Chennai North Region on total turnkey basis with a quantity of 310 numbers. The Tender is governed by the Tamil Nadu Tender Transparency Act. However, the grievance of the petitioner is that the petitioner's technical bids were rejected without assigning any reason. Challenging the same, these writ petitions filed.

3. However, Mr.R.Shanmugasundaram, learned Senior Counsel appearing for the petitioner would submit that the issue arises in the writ petition is no longer res-integra and the same was decided by this Court in the case of ***Overseas Infrastructure Alliance (India) Private Limited Vs.***



Chairman, Tamil Nadu Generation and Distribution Corporation Limited

reported in ***2023 SCC Online Mad 8422*** wherein, this Court had issued a direction to the respondents to furnish the information as contemplated under Section 10(7) of the Act forthwith and, as against that information, the petitioner was given liberty to avail alternative remedy before the Government. The Government shall entertain the appeal and pass appropriate orders under Section 11 of the Tender Transparency Act and, till such time, this Court may restrain the respondent not to confirm the L1. However, the price bid submitted by the petitioner and other tenderers may go on.

4. In response, Mr.P.S.Raman, learned Advocate General appearing for the respondent would submit that the respondent will furnish the reason for rejection of petitioner's tender to enable the petitioner to file appeal before the Government and on a direction to Government to pass orders in terms of Section 11 of the Tender Transparency Act and allow the respondent to proceed further, if not to confirm the L1. If the petitioner succeeds before the Government, his bid already available will be evaluated and appropriate order will be passed.



5. In view of the above, these writ petitions are disposed of on following terms:-

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“8. In view of the foregoing discussion, the writ petition is disposed of in the following manner:

“1. The second respondent is directed to furnish the information as contemplated under Section 10(7) of the Act forthwith. The same shall also be published in the meanwhile. A copy of such publication shall be sent to the petitioner also.

2. It is open to the petitioner to avail the alternative remedy before the Government. The petitioner is directed to avail the statutory remedy within a period of six days after receipt of such communication.

3. The Government shall dispose of the petitioner's appeal within a period of two weeks thereafter. The petitioner shall be heard in person. Till final order is passed under Section 11 of the Act, the position that obtains as on date shall continue.”

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



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Internet : Yes / No

Index: Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

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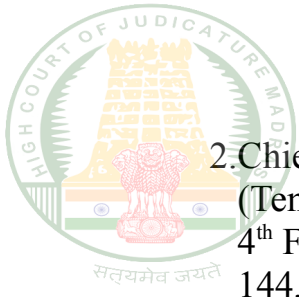
22.09.2025



To:

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6th Floor, TANTRANSCO Building,
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M.DHANDAPANI, J.

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