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W.P.No.35355 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.35355 and 35359 of 2025

and

W.M.P Nos.39578, 39579, 39583 & 39585 of 2025

M/s.Vangalamman Transports
Rep. by its Managing Partner
K.P.P.Baskar
68 D, Arthanari School Street
Ashok Nagar, 1st Street
Kondichettipatti Road
Namakkal-637 001.

... Petitioner
in both petitions

Vs.

Indian Oil Corporation Limited
Rep. by its Chief General Manager
(LPG S & D)
Southern Region, Indian Oil Bhavan
139, Utthamar Gandhi Salai
Chennai-600 034.

... Respondent
in both petitions

Prayer in W.P.35355 of 2025 : The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned rejection order dated 25.08.2025 issued by the respondent, rejecting the request for reconsideration of the petitioner's technical bid in Bid No.1071609 in Tender No.LPG/BULK/TT/IOC/KA/2025-



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30 (Tender ID: 2025_ SROTN_184009_1) based on genuine PESO license submitted with the representation dated 21.08.2025 and quash the same, and consequently, direct the respondent to reconsider the petitioner's technical bid by duly taking into account the genuine PESO License submitted along with the petitioner's representation dated 21.08.2025, and permit the petitioner to participate in the further tender process.

Prayer in W.P.35359 of 2025 : The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned rejection order dated 16.08.2025 issued by the respondent, rejecting the petitioner's technical bid in Bid No.1071609 in Tender No.LPG/BULK/TT/IOC/KA/2025-30 (Tender ID: 2025_ SROTN_184009_1) and quash the same, and consequently, direct the respondent to reconsider the petitioner's technical bid considering the genuine PESO License submitted to the respondent and permit the petitioner to participate in the further tender process by considering the petitioner's representation dated 21.08.2025.

For Petitioner : Mr.B.Kumar, Senior Counsel
for M/s.D.Vairamoorthy
For Respondents : Mr.Mohamed Fayaz Ali

ORDER

These two writ petitions have been filed, challenging the impugned rejection orders dated 25.08.2025 and 16.08.2025 and to direct the respondent to consider the petitioner's representation dated 21.08.2025.



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2. The case of the petitioner is that the petitioner is a contractor engaged in transportation of LPG through tank trucks for the respondent Oil Corporation. The firm successfully executed a five year contract awarded in 2018, which was extended further owing to their satisfactory performance. In March 2025, the respondent floated a fresh tender for the State of Karnataka, in which the petitioner participated by submitting its bid in Bid No.1071609 on 08.05.2025. For compliance purpose, the petitioner engaged one Parthiban, a freelancer to handle PESO license renewals, compliance and related tasks. The said Parthiban forged PESO licenses and misappropriated amounts paid by the firm giving the bank account of his girlfriend by misrepresenting the same to be bank account of the competent authorized person issuing PESO license. During scrutiny of the technical bid, it was found that the PESO licenses for the vehicles offered in the tender submitted by the petitioner were forged. Consequently, by an order dated 16.08.2025, the respondent rejected the petitioner's technical bid. Thereafter, the petitioner lodged a criminal complaint and a case was registered in Crime No.431 of 2025 dated 31.08.2025 against the said Parthiban. Subsequently, the petitioner submitted a detailed representation dated 21.08.2025 to the respondent requesting reconsideration of its bid by considering the genuine PESO license submitted with the representation. However, without affording an opportunity to the petitioner or



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considering the genuine PESO licenses produced, the respondent passed the impugned rejection orders on 25.08.2025 and 16.08.2025. Challenging the same, the present writ petitions are filed.

3.The learned Senior counsel appearing for the petitioner would submit that, within a period of 4 days, the petitioner obtained a fresh explosive certificate from the competent authority and the same was produced before the respondent. Even then, they refused to revisit the rejection of the technical bid which is not certainable. Therefore, the present writ petition is filed.

4. However, the learned Senior Counsel appearing for the petitioner would submit that as per Pre-Qualification Criteria (POC) clause 2 (c), in case of rejection of trucks due to non-placement after issuance of LOI, trucks placed beyond the NIT requirement of successful bidders under waitlisted panel will get the chance of issuance of LOI till the original NIT requirement gets fulfilled as per the modalities as under:

a) This exercise will be carried out for trucks in waitlist subject to matching L1 rates.

b) In case no trucks are left then the Tender will be closed.

and as per clause 2(d), Once the NIT requirement is fulfilled from the quoted



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trucks or as per Tender evaluation, then the Tender will be closed. However, waitlist panel will be kept live for making up shortfall due to rejection of trucks in case of non-placement after issuance of LOI / to meet the additional requirement of trucks during the pendency of the contract. In the aforesaid clause provides if the petitioner may be placed under waitlist, he will go back to the terms available for completing the transportation and then, an opportunity may be given to the petitioner for operation and the petitioner may be included in the waiting list in terms of the above said clause. Without interfering with the impugned order, this Court may permit the petitioner to make a fresh representation to the respondent and the respondent may be directed to pass appropriate orders on merits and in terms of Clause 2(c) and (d) of the Pre-Qualification Criteria (POC).

5. The learned counsel for the respondent would submit that if any such representation is received by the respondent, the same will be considered in terms of Pre-Qualification Criteria (POC) and as per the tender terms and conditions.

6. In view of the above, without interfering with the impugned order, this Court is inclined to direct the petitioner to make a fresh representation to the



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respondent and after receipt of the same, the respondent shall consider the petitioner's representation and pass appropriate orders in terms of Pre-Qualification Criteria (POC) and as per the tender terms and conditions.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

16.10.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The Chairman

Tamilnadu Electricity Generation and
Distribution Corporation (TANGEDCO)
Anna Salai, Chennai-600 002.

2.The Asst. Executive Engineer

Tamil Nadu Electricity Board
Ambal Nagar, Ponniamman Nagar
Poonamallee, Chennai-600 056.

3.The Asst. Executive Engineer

(Q & M/Mangadu, CEDC/South I
Porur, Chennai-600 116.



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M. DHANDAPANI, J.

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