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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-10-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 38653 of 2025

and

W.M.P.Nos.43226 and 43228 of 2025

T.Selvam

S/o. Tamilvanan,

Proprietor,

Beemji Enterprises,

No.25, VTK Nagar, Valliamalai Road,

Katpadi Taluk, Vellore- 632 007,

Vellore District.

Petitioner(s)

Vs

1. The Chief Secretary

Department Of Rural Development

And Panchayat Raj, Secretariat, St.

George Fort, Chennai- 600 009.

2.The District Collector

Vellore District, Vellore- 632 009.

3.The Director Of Rural Development

And Panchayat Raj Department,

Panagal Maligai, Chennai- 600 009.



4.The Project Director
District Rural Development Agency
(DRDA), Vellore District- 632 009.

5.The Block Development Officer
Block Development Office, Katpadi,
Vellore District-632 007.

6.The Tamil Nadu State Election
Commission
No.208/2, Jawaharlal Nehru Road,
Opp, CMBT, Arumbakkam,
Chennai- 600 106.

Respondent(s)

PRAYER

Calling for the entire records in pursuant to the cancellation order issued by the 5th respondent vide proceedings in Na.Ka.A2/1504/2025 dated 10.09.2025 and quash the same with a consequential direction to issue work order to the petitioner in pursuant to the work of construction of an Additional Primary Health centre Building at vinnampalli village, Katpadi Panchayat Union, for the 15th CFC, 2025- 26 (National Health Mission) within a stipulated time.

For Petitioner(s): A.Anusuya
F.Sabastin

For RR1 to 4: Mr.M.Shajahan,
Special Government Pleader

For R5: Mr.Velmurugan for
Ms.Mythreye Chandru,
Special Government Pleader



ORDER

The petitioner challenges the cancellation of tender issued by the fifth respondent.

2. The grievance of the petitioner is that he was L2 in the auction. L1 in the auction was one, Kirubakaran, husband of Mrs.Sulochana. Mrs.Sulochana is a Union District Council Member. Hence, he pointed out to the fifth respondent that a close relative of the Council Member cannot get the benefit of a contract issued by the fifth respondent. Consequently, the fifth respondent cancelled the tender. Hence, this writ petition.

3. I heard Ms.A.Anusuya, learned counsel for the petitioner, Mr.Shajahan, learned Special Government Pleader for respondents 1 to 4 and Mr.Velmurugan, representing Ms.Mythreye Chandru, learned Special Government Pleader for the fifth respondent.



4. A tender is only an invitation to offer. When a tender is submitted, it is made by persons like the petitioner, seeking acceptance by the fifth respondent or the tender calling authority. The tender calling authority is entitled to either accept it or call for fresh tenders. A bidder has no legal right to insist that the offer made by him or her alone should be accepted by the tender inviting authority. The petitioner has rightly pointed out the lacuna in the tender submitted by L1 Kirubakaran on account of his wife holding the position of the council member. Taking into consideration the same, the fifth respondent has cancelled the process and decided to invite fresh tenders. The Government or Governmental Agency is entitled to cancel the tender and go for fresh one, in case, they find any defect in the tender process. It is not the case of the petitioner that the tender was awarded in favour of Mr.Kirubakaran. Even before the award of the contract, noticing the lacuna, the tender has been cancelled.

5. The grievance of Ms.Anusuya is that subsequent tenders will only be given to a person, who is a name lender for Sulochana or Kirubakaran. It is



open to the petitioner, if such a situation arises, to bring to the notice of the fifth respondent and I am sure that the fifth respondent, if it comes to the conclusion that the allegations are true, will do the needful. As the petitioner does not have any legal right to challenge the present act of the fifth respondent, this writ petition is dismissed. No costs. The connected miscellaneous petitions are closed.

14-10-2025

ssk.

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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V.LAKSHMINARAYANAN J.

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