



W.P.Nos.39323 & 39324 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. 39323 & 39324 of 2025

and

W.M.P.Nos. 44169 & 44170 of 2025

S.K.G.Blue Metals,
Represented by its Partner, Mr.S.N.Palanisamy,
Registered Contractor,
No.5/250A, Narasingapuram,
Krishnapuram, Udumalaipet Taluk,
Tiruppur District.

..Petitioner in both petitions

Vs.

1.The Superintending Engineer / Highways Department,
(Constructions and Maintenance),
Tiruppur Circle, Tiruppur.

2.The Divisional Engineer,
Highways (Constructiosn and Maintenance),
No.21, Alangiam Road,
Dharapuram, Tiruppur District.

...Respondents in both petitions

Prayer in WP.No.39323 of 2025: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of Writ of Mandamus, directing the respondents to finalise the tender along with the application bearing BID ID 1483539 submitted by the petitioner in pursuance to the notification bearing



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Tender Notice No 29 / 2025-2026 / HDO / dated 29.08.2025 for E-tender process in respect of the work namely “Widening from single lane to intermediate Lane and Strengthening, Improvements to Riding Quality and Reconstruction of culverts works in Government Roads in Madathukulam (H) C & M. Sub-Division (TPR 065)” without insisting the Work Site Inspections Certificate and Working Condition of the Plant and Machineries Certificates from the petitioner in accordance with law within a time frame fixed by this Hon'ble Court.

Prayer in WP.No.39324 of 2025: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of Writ of Mandamus, directing the respondents to finalise the tender along with the application bearing BID ID 1483542 submitted by the petitioner in pursuance to the notification bearing Tender Notice No 30 / 2025-2026 / HDO / dated 30.08.2025 for E-tender process in respect of the work namely “Widening from intermediate Lane to two lane, widening from single lane to intermediate Lane and Strengthening, Reconstruction of culvert, widening of pipe culvert work in Government Roads in Madathukulam (H) C & M, Sub-Division (TPR 067)” without insisting the Work Site Inspections Certificate and Working Condition of the Plant and Machineries Certificates from the petitioner in accordance with law within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.G.Ilamurugu in both petitions

For Respondents : Mr.P.Kumaresan
Additional Advocate General assisted by
Ms.S.Anitha,
Special Government Pleader in both petitions



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COMMON ORDER

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These Writ Petitions have been filed directing the respondents to finalise the tender along with the applications submitted by the petitioner for E-tender process without insisting the Work Site Inspections Certificate and Working Condition of the Plant and Machineries Certificates from the petitioner in accordance with law within a time frame.

2. The learned counsel appearing for the petitioner would submit that the petitioner is intend to participate four tenders floated by the respondent in TPR Nos.067, 067, 081 & 070 for strengthening Government roads under various projects, for which, the petitioner made an application on 19.09.2025 for issuance of Work Site Inspections Certificate. However, no order was passed, the petitioner filed a Writ Petition before this Court in W.P.No.38397 of 2025. This Court, by its order dated 08.10.2025 closed the said Writ Petition by recording the statement of the learned Additional Advocate General that the certificates sought for by the petitioner will be issued on the same day itself. However, the respondent issued a certificate only in respect of TPR 070 and the certificates for other tenders have not been issued as per the request made by the petitioner thereby, the present Writ Petitions have been filed for a mandamus, directing the



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respondent to finalise the Tender along with application bearing BID No.1483539 & 1483542 submitted by the petitioner pursuant to the Tender notification dated 29.08.2025 & 30.08.2025 and pass appropriate orders.

3. The learned counsel appearing for the petitioner would submit that admittedly, the petitioner made a representation for issuance of certificate for four tenders and filed a writ petition. Though this Court issued a direction to issue such certificates, they issued only one certificate in respect of TPR-070 alone and in respect of the other 3 tenders, they have not issued the certificates to enable the petitioner to participate in the tender. He would further submit that this Court may issue a direction to the respondents to treat the certificate annexed along with TPR-70 in the other applications also.

4. The learned Additional Advocate General appearing for the respondents would submit that work site inspection certificate should be separately annexed for each and every tender and if it is not annexed then that application is an invalid application and cannot be entertained. He further submits that the petitioner has specifically averred in paragraph 4 of the affidavit filed in the earlier writ petition



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seeking issuance of certificate for TPR-70 tender only and the other tenders were not mentioned in the affidavit. In the absence of any prayer in the earlier writ petition, the respondents have not issued the certificate and the petitioner cannot maintain the petition with the above said prayer. It is stated that the last date for submitting the application is already over on 08.10.2025 and the formalities have been completed and hence, the application of the petitioner is a defective application.

5. It is the case of the petitioner that he sought for issuance of certificate in respect of the four tenders filed, but only one certificate relating to TPR-70 alone was certificates cannot be put against the petitioner. issued and, therefore, the error committed by the respondents in not issuing the

6. However, a perusal of the materials available on record reveal that in the earlier writ petition filed, more particularly in para-4 of the affidavit therein, there is a specific averment of the petitioner that the certificate is sought for in respect of TPR-70 tender alone and based on the same, this Court, in the earlier writ petition had directed issuance of certificate in respect of the said TPR-70 tender. When



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there is no specification of the other tenders and when there was no specific direction by this Court to issue inspection certificate in respect of the other tenders, the respondents have not issued the said certificates. The error committed by the petitioner in not seeking for certificates in respect of all tenders by making specific mention in the affidavit and there being no specific direction by this Court to the respondents, the prayer of the petitioner in the present petition cannot be granted, moreso the last date for submission of tender is complete and all the formalities have also been completed. Therefore, the prayer sought for by the petitioner cannot be granted on that score as well.

7. For the reasons aforesaid, the present Writ Petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

16.10.2025

Index: Yes/No
Speaking (or) Non Speaking Order
Neutral Citation: Yes/No

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To

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(Constructions and Maintenance),
Tiruppur Circle, Tiruppur.

- 2.The Divisional Engineer,
Highways (Construction and Maintenance),
No.21, Alangiam Road,
Dharapuram, Tiruppur District.



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M.DHANDAPANI, J.

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