



W.P.(MD)No.5134 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5134 of 2025

and

W.M.P.(MD)Nos.3731 and 3732 of 2025

M/s.MS Construction,
Rep. by its Managing Partner,
Mr.M.Shanmugavelu,
No.1/8/116/4, Vadiyoor Main Road,
Surandai, Tenkasi District.

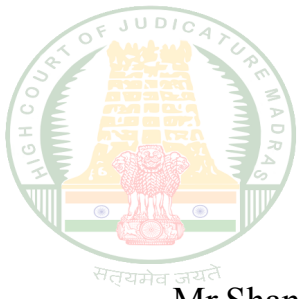
... Petitioner

-VS-

The Project Director,
National Highway Authority of India,
395/3-1, M.S.Road, Majestic Colony,
Near Ayyappan Kovil,
Parvathipuram, Nagercoil – 3.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent dated 21.02.2025 in Tender Ref.No. NHAI/PIU/NGL/NH-744/2024/05, insofar as declaring the bid of the petitioner as "not qualified" and quash the same as illegal and consequently, direct the respondent to accept the experience and turnover certificate submitted in the name of Shanmugavelu, who is the Managing Partner of petitioner Firm by taking note of the work experience and annual turnover acquired / achieved by



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Mr. Shanmugavelu as an individual Contractor, as the experience of the petitioner's Firm as mandated by the tender notification and evaluate the financial bid of the petitioner accordingly.

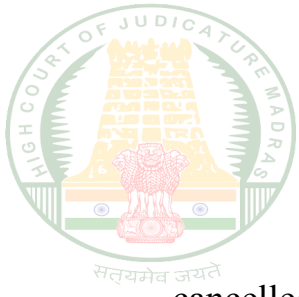
For Petitioner : Mr.A.Mohan

For Respondent : Mr.Su.Srinivasan
Standing Counsel

ORDER

This Writ Petition has been filed seeking to quash the impugned order passed by the respondent dated 21.02.2025, in Tender Ref.No. NHAI/PIU/NGL/NH-744/2024/05, insofar as declaring the bid of the petitioner as "not qualified" and consequently, direct the respondent to accept the experience and turnover certificate submitted in the name of Shanmugavelu, who is the Managing Partner of petitioner Firm, by taking note of the work experience and annual turnover acquired / achieved by Mr. Shanmugavelu as an individual Contractor, as the experience of the petitioner's Firm, as mandated by the tender notification and evaluate the financial bid of the petitioner accordingly.

2. Today, when the writ petition was taken up for hearing, the learned Standing Counsel appearing for the respondent submitted that the respondent had



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cancelled the earlier tender process due to administrative reasons and issued a re-tender corrigendum dated 24.02.2025, inviting e-bids under the third call. Therefore, the relief sought in the present writ petition has become infructuous

3. Recording the above said submission, this Writ Petition is dismissed as infructuous. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
smn2

25.02.2025

To:-

The Project Director,
National Highway Authority of India,
395/3-1, M.S.Road, Majestic Colony,
Near Ayyappan Kovil,
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VIVEK KUMAR SINGH, J.

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25.02.2025