



W.P.(MD) No.6270 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.03.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.6270 of 2025

and

W.M.P.(MD)Nos.4622 to 4624 of 2025

T.Suresh

... Petitioner

-Vs-

- 1.The District Collector,
Kanniyakumari District,
Kanniyakumari-629001.
- 2.The Director,
District Rural Development Agency,
Panagal Maligai, Chennai-600015.
- 3.The Project Director,
District Rural Development Agency,
Collectorate Campus, Nagercoil-629001.
- 4.The Executive Engineer,
District Rural Development Agency,
Collectorate Campus, Nagercoil-629166
- 5.The Assistant Executive Engineer,
District Rural Development Agency,
Sub-Collector Office Campus, Thuckalay-629175.



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6. Assistant Engineer,
Thiruvattar Block Development Office,
Thiruvattar-629177.

7. The Block Development Officer,
Thiruvattar Block Development Office,
Thiruvattar-629177.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the official respondents to take action on the basis of the petitioner's complaint dated 17.02.2024 and initiate appropriate legal action against the persons involved in the sub-standard execution of the work in the tender dated 27.12.2024 issued for 'construction of storm water drainage using concrete pipe @ Viralikatuvilai in Kannanoor Village Panchayat of Thiruvattar Panchayat Union' within a stipulated time frame.

For Petitioner : Mr.J.Mohamed Ashik Jaman

For Respondents : Mr.P.Thilak Kumar,
Government Pleader

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. According to the petitioner, the Commissioner, Thiruvattar Panchayat Union, Kanniyakumari District has floated tender for construction of storm water



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drainage using concrete pipe at Viralikutuvilai in Kannanoor Village Panchayat of Thiruvattar Panchayat Union on 11.12.2024. In the tender, only one person, namely, Veerabathran has participated and he was awarded with tender. When only a single bidder participates in the tender, re-tender has to be conducted. However, in this case, no re-tender was conducted. Further, the successful bidder, namely, Veerabathran has executed the work by violating the work specification mentioned in the tender notification. Therefore, the petitioner made a representation dated 17.02.2025 to the respondents. However, the same is still pending without any progress. Therefore, he has filed this Writ Petition.

3.Heard the learned counsel on either side and perused the materials available on record carefully.

4.On perusal of the records, it is seen that the petitioner has not filed any application for participating in the tender. Hence, this Court is of the view that the petitioner is trying to espouse the case of unknown individuals, who are not before this Court. In this regard, the Delhi High Court in the case of ***Primatel Fibcom Ltd., vs.Indian Oil Corporation Ltd., and others*** [W.P.(C)8220/2024 & CM Appeal No.33782/2024], has held that the party, who has not participated in a tender process does not have any locus to challenge the award of the tender and



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cannot be heard to make any grievances as such a party does not acquire any right in the tender.

5.Following the said order, this Writ Petition deserves to be dismissed, accordingly, it is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[J.N.B., J.] & [S.S.Y., J.]
07.03.2025

NCC : Yes / No
Index : Yes / No

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