



W.P(MD)No.16210 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition(MD)No.16210 of 2025

and

W.M.P(MD)Nos.12308 & 12309 of 2025

K.Siva

..Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam, Chennai – 600 034.
- 2.The Executive Officer/Deputy Commissioner,
Hindu Religious & Charitable Endowment,
Arulmighu Kallazhagar Thirukovil,
Azhagarkovil, Madurai.
- 3.The Joint Commissioner,
Hindu Religious & Charitable Endowment,
Madurai.
- 4.The Committee of Joint Commissioner &
Assistant Commissioners,
H306, TNHB Colony,
Ellis Nagar, Madurai – 625 016.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 2nd respondent herein to conduct re-tender for Sl. No.2 of Tender Notification No.1354/2025/A7 28.05.2025 following due process of law in a transparent manner and in accordance with law.



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W.P(MD)No.16210 of 2025

For Petitioner : Mr.K.Appadurai
For Respondents : Mr.S.S.Madhavan
Addl. Govt. Pleader (R1, R3 & R4)

Mr.S.Manohar
Standing Counsel (for R2)

ORDER

This writ petition is filed seeking issuance of a Writ of Mandamus to direct the 2nd respondent herein to conduct a re-tender for Sl. No.2 of Tender Notification No.1354/2025/A7 dated 28.05.2025 following due process of law in a transparent manner and in accordance with law.

2. Mr.S.S.Madhavan, learned Additional Government Pleader, takes notice for the respondents 1, 3 and 4. Mr.S.Manohar, learned Standing Counsel, takes notice for the second respondent. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. It is informed that the tender notification was published in Daily Thanthi on 25.05.2025. The petitioner has offered Rs. 9,00,000/- for item No.1. However, in this writ petition, the petitioner has challenged the auction in respect of item No.2 primarily on the ground that there was no sufficient publication of tender notification.



W.P(MD)No.16210 of 2025

WEB COPY

4. It is submitted by the learned counsel for the petitioner that the second respondent has colluded with the private parties, namely, the persons who are in possession of item No.2, and has favoured the said person to exclude the petitioner from the tender proceedings.

5. Opposing the prayer, the learned Standing Counsel appearing for the second respondent would submit that the present writ petition is misconceived, as the petitioner has made an offer for item No.1 in the tender notification. However, has prayed for the relief in respect of item No.2 of the tender notification. That part, a reference was made to Rule 4 of the Religious Institutions (Lease of Immovable Property) Rules, 1963. In terms of which, 15 days prior notification has to be issued before the tender is opened.

6. The learned Standing Counsel for the second respondent has filed a copy of the newspaper advertisement dated 25.05.2025 issued in the Daily Thanthi Madurai Edition, wherein 26 items were published in terms of the above-said tender notification calling upon the proposed bidders to make their offer by 11.06.2025.



W.P(MD)No.16210 of 2025

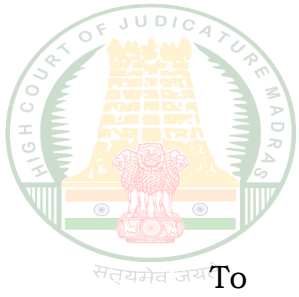
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7. Having considered the submission of the learned counsel for the petitioner, the learned Standing Counsel for the second respondent, and the learned Additional Government Pleader for the respondents 1, 3 and 4, and having perused the provision of the Religious Institutions (Lease of Immovable Property) Rules, 1963, particularly Rule 4 of the aforesaid Rules and the tender notification dated 25.05.2025 published in the Madurai Daily Thanthi Edition, it is clear that there has been no procedural violation by the second respondent in the tender that was quoted by them inviting bids in respect of 26 items mentioned therein. Therefore, at this juncture, the petitioner cannot have any objection. The offer of the petitioner has also been filed before this Court, which indicates that the petitioner had made an offer only for item Nos.1. However, the prayer in this writ petition is in respect of item No.2. Therefore, there is no scope for interference with the tender that was opened on 11.06.2025.

8. Accordingly, this writ petition stands dismissed. The EMD amount of Rs.2,00,000/- paid by the petitioner shall be returned back to the petitioner. No costs. Consequently, connected miscellaneous petitions are closed.

18.06.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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To

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C.SARAVANAN, J.

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