



W.P.(MD) No.17370 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.17370 of 2025

and

W.M.P(MD)Nos.13238, 13239 & 13240 of 2025

M/s.Megala Construction,
Represented by its Managing Partner,
Vetriselvan

... Petitioner

Vs

1. The District Collector, Chairman,
District Rural Development Agency,
Pudukkottai District.
- 2 The Tender Scrutiny Committee,
District Rural Development Agency,
Pudukkottai.
- 3 The Assistant Collector / Project Officer,
District Rural Development Agency,
Pudukkottai.
- 4 Sankar

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for



W.P.(MD) No.17370 of 2025

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issuance of Writ of Certiorarified Mandamus, calling for the records 2nd respondent dated 19.06.2025 regarding the rejection of petitioner's bid in pursuance of tender notice reference No.DIPR/1714/Tender 2025 dated 30.04.2025 and quash the same as illegal and arbitrary and in consequence thereof direct the respondents to consider the bid submitted by the petitioner as eligible along with the bids submitted by the respondent 4 and conduct the tender process in accordance with law.

For petitioner : Mr. P.Ganapathi Subramanian

For respondents :Mr.K.R.Badurus Zaman
Government Advocate for R1 to R3

Mr.M.Rajarajan for R4

ORDER

The petitioner is challenging the impugned Tender Summary Reports dated 20.06.2025 in respect of the Tender Notice on 02.05.2025. The last date for respond to the tender was fixed on 16.05.2025 which was extended to 21.05.2025. About 5 different bidders had made a bid and the bid of only one



W.P.(MD) No.17370 of 2025

WEB COPY

M.Sankar was accepted in the tender during the technical evaluation. The petitioner has also had offered the bid on 16.05.2025; that was rejected during the technical evaluation. The petitioner has produced a copy of the bank certificate purportedly filed by the 4th respondent namely M.Sankar for another project namely Rejuvenation of MI-tank-under State fund for the year 2024-2025 in Pudukkottai District and it is therefore submitted that attempt is being made to isolate the persons like the petitioner and others by the 4th respondent namely M.Sankar.

2. On the other hand, the learned counsel for the fourth respondent has also submitted that the petitioner had downloaded the copy of the bank certificate which was by oversight included along with the bank certificate produced by the fourth respondent along with the tender document with the bid dated 21.05.2025. It is submitted that the said bank certificate is strictly in accordance with the tender document. It is therefore submitted that there is no scope for interfering with the tender process awarded so far. Therefore the writ petition filed by the petitioner should be rejected.



W.P.(MD) No.17370 of 2025

WEB COPY

3. I have considered the arguments advanced by the learned counsel for the petitioner, learned Government Advocate for the respondents 1 to 3 and the learned counsel for the fourth respondent.

4. In my view, the respondent have filed the complete set of tender document downloaded on 21.05.2025 at 17.14.18 hours and the bank certificate given by the fourth respondent dated 21.05.2025 which is reproduced hereunder:

पंजाब नेशनल बैंक Punjab National Bank
BO: Pudukottai(039300)
No :2470 ,South Main Street,Pudukottai -622001
Tel.:04322-232212,Mob.:8939648283

Date:21/05/2025

To
The District Collector/Chairman,
DRDA,
Pudukkottai.

This is to certify that Mr.M.Sankar, resident of No8666/6,Chola Real Estate, Thirukokarnam,Pudukkottai-622002 is a reputed Contractor with good financial standing.

If the contract for the work namely "Mudhalvarin Grama Salaigal Membattu Thittam (MGSMT) 2025-2026" is awarded to him, we shall provide Overdraft/ Cash Credit facility to the extent of Rs.80,00,000/-(Rupees Eighty Lakhs Only) to meet his working capital requirement for executing the above contract subject to meeting the Bank guidelines.

For **PUNJAB NATIONAL BANK**
Gabeen
Senior Branch Manager
BO Pudukkottai - 622004
Branch Manager



W.P.(MD) No.17370 of 2025

WEB COPY

5. Along with the same, the fourth respondent had by oversight appears to have also enclosed another bank certificate dated 16.04.2025 for the work namely Rejuvenation of MI-tank under the State fund for Pudukkottai District for the year 2024-2025.

6. The argument of the petitioner that the second mentioned bank certificate alone was produced therefore stands *prima facie* disproved. That apart, this Court is not concurred with appreciation of evidence. Therefore, this Court is not inclined to get into the disputed questions of fact. The petitioner is at liberty to file the statutory appeal against the Tender Summary Report dated 20.06.2025 whereby the bid of the petitioner was rejected during the technical evaluation of the petitioner in-bid in response to the Tender Notification dated 02.05.2025.

7. It is noticed that after the tenders are floated evaluated there an innumerable number of challenges before this Court. The drift appears to be to favour few selected bidders and to reject the others. However, the paper work seem to indicate the tenders are being floated to favour only few. Despite the statutory safeguards under the provisions of the Tamil Nadu Transparency in



W.P.(MD) No.17370 of 2025

WEB COPY

Tenders Act, 1998, and the Rules made thereunder, the tender process adopted are not robust to get the best bid. Therefore, it is open for the petitioner to write to the Government to take steps to amend the provision of the Tender Transparency Act and the Rules made thereunder and to create the more robust system so that there is fair play in awarding of contract under the tender process.

8. With the above liberty, this writ petition stands dismissed. No Costs.
Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes / No
PJL

26.06.2025

To

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2. The Tender Scrutiny Committee,
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6/8



W.P.(MD) No.17370 of 2025

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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.(MD) No.17370 of 2025

C.SARAVANAN, J.

PJL

W.P.(MD) No.17370 of 2025

26.06.2025