



W.P.(MD) No.20749 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2025

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THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.20749 of 2025

and

W.M.P.(MD) Nos.16062 to 16064 & 17457 of 2025

Sri Sai & Co. Constructions
Rep. by its Managing Director,
K.Manoharan, S/o.Karmegam,
No.3/1888-107,
Sethupathy Nagar North,
Ramanathapuram District.

... Petitioner

Vs.

- 1.The Secretary to Government,
Rural Development and Panchayat
Raj Department,
Building, Panagal Maligai,
4th & 5th Floor, Abdul Razzak Street,
Saidapet, Chennai.
- 2.The District Collector,
Office of the Collectorate,
Ramanathapuram District.
- 3.The Additional Collector (Dev)
/ Project Director,
District Rural Development Agency,
District Rural Development and
Panchayat Raj Department,
Ramanathapuram.



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4.The Block Development Officer,
Thiruppullani Block,
Thiruppullani Union,
Ramanathapuram District.

5.The Executive Engineer,
District Rural Development Agency,
District Rural Development and
Panchayat Raj Department,
Ramanathapuram.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of the third respondent in Ramanathapuram District NABARD XXXI 08/2025-26 of Thiruppullani Block dated 25.07.2025 and quashing the same and consequently directing the respondents to allow the petitioner to participate in the tender process.

For Petitioner : Mr.S.Ramsundarvijayraj

For Respondents : Mr.Ajmal Khan
Additional Advocate General - I
assisted by Mr.D.Ghandiraj
Special Government Pleader

ORDER

The petitioner is aggrieved by the impugned communication (tender summary report) dated 25.07.2025, whereby the bid of the petitioner in response to Package No.8 in Tender dated 25.06.2025 bearing Reference



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No.DIPR/2866/Tender/2025 has been rejected during the technical

evaluation.

2. The petitioner appears to have uploaded the documents on 02.07.2025, as the last date for submission of bids was 10.07.2025. After the tender documents were uploaded, a site inspection was conducted by the officials on 08.07.2025, pursuant to the notice issued to the petitioner on 04.07.2025.

3. The learned Additional Advocate General for the respondents would submit that during the inspection held on 08.07.2025, it was found that out of 12 mandatory equipments, most of the equipments did not meet the prescribed criteria; some of them were not working, some were old and in respect of certain equipments, there were no proper documents to establish that the petitioner had a valid lease from the lessor. Thus, the petitioner's bid was rejected *vide* the impugned summary report dated 25.07.2025.

4. On the other hand, the learned counsel for the petitioner would submit that the rejection of the petitioner's bid during the technical

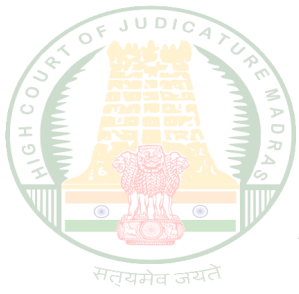


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evaluation pursuant to the inspection held on 08.07.2025 is arbitrary. It is further submitted that the very same equipments were offered for Package No.PMGSY-III (2023-2024) in respect of the work namely improvements to the Road from Erumaipatti to Karrupur Road via Naranamangalam-Velankulam-Sirukudi Road (KMI/000-5/645), for a value of Rs.345.380 lakhs and that the said work was successfully completed by the petitioner on 05.05.2025. It is further submitted that payments have also been settled and thus, it is not clear as to how it was found that the petitioner did not meet the requirements.

5. At this stage, the learned Additional Advocate General for the respondents would submit that in view of the interim order dated 28.07.2025, no work order has been issued to the prospective successful bidders.

6. The learned Additional Advocate General for the respondents would further submit that the petitioner may be relegated to file an appeal before the Appellate Authority, namely the District Collector, who is the second respondent herein, with a direction to dispose of the appeal within a period of 15 days from the date of the filing of the appeal.



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7. The request of the learned Additional Advocate General appears to be reasonable. Considering the same, liberty is granted to the petitioner to file an appeal under Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998, within a period of seven days from today.

8. In case the petitioner files an appeal within the aforesaid period, the second respondent, who is the Appellate Authority under Section 11 of the Act, shall consider the petitioner's appeal and dispose of the same in accordance with law within a period of 15 days thereafter. Needless to state, before passing any order, the petitioner shall be heard. The tender awarding authority shall thereafter award the tender to the petitioner, if the petitioner's appeal is accepted and the petitioner's offer in the financial bid is acceptable.

9. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

18.08.2025

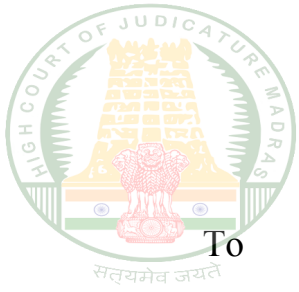
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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

Issue order copy on 19.08.2025



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To

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C.SARAVANAN, J.

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