

W.P.Crl.(MD)No.1148 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.08.2025

CORAM:

THE HONOURABLE **Dr. JUSTICE R.N.MANJULA**

W.P.Crl.(MD).No.1148 of 2025
and W.M.P(MD).Nos.291 and 292 of 2025

Karur HDPE Filament and
Bednets Manufacturers Welfare Association,
rep., by its President, A.R.Malaiyappasamy,
No.19, Industrial Estate, S.Vellalapatti (Po),
Karur 629 004, Tamilnadu.

... Petitioner

Vs

- 1.Union of India,
Through the Secretary,
Ministry of Home Affairs,
New Delhi -1.
- 2.The Superintendent of Police,
Central Bureau of Investigation,
8th Floor, Anti-Corruption-1,
Lodhi Road, Jawaharlal Nehru Standium Marg,
CGO Complex, New Delhi 110003.
- 3.Central Medical Services Society,
2nd Floor, Vishwa Yuvak Kendra,
Teen Murti Marg,
Opp.Police Station,
Chanakyapuri,
New Delhi 110021



W.P.Crl.(MD)No.1148 of 2025

4.Hindustan Insecticides Limited,
rep., by its Chairman and Managing Director,
2nd Floor, Core-6,
SCOPE Complex,
7, Lodhi Road, New Delhi 110003

5.M/s.VKA Polymers,
rep., by its Authorised representative,
Having Corporate address at
Chinna Andan Kovil Road,
No.9/939, Cheran Nagar,
Karur 639 002.

... Respondents

PRAYER: Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the second respondent or its officials to complete its preliminary inquiry within a time frame and take further appropriate action based on the petitioner's representation dated 23.07.2025 in accordance with law.

For Petitioner : Mr.C.Rajakumar

For Respondent : Mr.K.Govindrajan
Deputy Assistant Solicitor
General of India (for R1)
Mr.C.Muthusaravanan (for R2)
Special Public Prosecutor for CBI Cases

ORDER

This writ petition has been filed for a writ of mandamus directing the second respondent or its officials to complete its preliminary inquiry within a time frame and take further appropriate action based on the petitioner's representation dated 23.07.2025.



W.P.Crl.(MD)No.1148 of 2025

2. The petitioner is an Association in the name and style

'Karur HDPE Filament and Bednets Manufacturers Welfare Association' and members of this association are the manufacturers of Long Lasting Insecticidal Nets (hereinafter referred to as 'LLINs'), which are used by the Government Departments to combat vector-borne diseases such as malaria and dengue.

3. The learned counsel for the petitioner submitted that the fourth respondent, who is the Public Sector, has been attempting to monopolize LLIN supply to Government by engaging shell companies/firms with no manufacturing facilities as job workers; creating layered procurement with multiple middlemen to artificially inflate prices and procuring at lower costs and reselling to Government at higher rates and thereby, causing huge loss to the exchequer. On the very same allegations, earlier writ petition has been filed in W.P(MD).No.22612 of 2024, which is now under investigation by the CBI/second respondent. In pursuant to the interim report filed by the second respondent, FIR has been registered in FIR No.RC2162025A0011 on 04.07.2025.



W.P.Crl.(MD)No.1148 of 2025

4. The third respondent had floated a fresh tender on 15.01.2025 for procuring LLIN with a condition that the direct manufacturers alone are eligible to participate in the bidding. It is submitted that the respondents 4 and 5 have been shortlisted in technical bid evaluation, despite they do not have the manufacturing facilities. Hence, the petitioner has filed this petition seeking direction to complete the investigation by CBI within a time frame by making enquiry into the representation made by the petitioner in this regard on 23.07.2025.

5. Mr.K.Govindrajan, learned Deputy Assistant Solicitor General of India, who takes notice on behalf of the first respondent and Mr.C.Muthusaravanan, learned Special Public Prosecutor, who takes notice on behalf of the second respondent, submitted that the investigation with regard to earlier FIR itself is pending and in the said investigation, the allegations now made in pursuant to the subsequent tender cannot be made. He further submitted that one of the unsuccessful bidders, by name, Shobikaa Impex Private Limited has also filed a writ petition in W.P(MD).No.20777 of 2025, in which, an order of stay has been granted to stop the tender process



W.P.Crl.(MD)No.1148 of 2025

pertaining to the year 2025. The petitioner could have impleaded themselves in the writ petition filed by the individual in W.P(MD).No.20777 of 2025, if there is no conflict of interest between this petitioner and the petitioner, who had filed W.P(MD).No.20777 of 2025 for seeking appropriate relief.

6. The learned Special Public Prosecutor further submitted that the investigation is an exhaustive process involving the collection of particulars from various parts of the country and by getting statements from several persons.

7. If the petitioner thinks it fit that the fourth respondent should not be allowed to publish any tender invitation, until the investigation of the earlier criminal case is completed, the best course open to them is to file a suit for permanent injunction. Now, on the cause of action that has arisen in pursuant to the earlier complaint filed by the petitioner and the investigation is pending, the petitioner has come up with the another allegation for the tender floated during the year 2025. If the petitioner continues to raise objections and give representation to the tenders called for by the



W.P.Crl.(MD)No.1148 of 2025

fourth respondent each year, it may not be practically possible for the second respondent to conduct an investigation with regard to every tender. This will also cause delay in completing the investigation and furthermore the preliminary report based on which FIR has been filed will not include the allegations now made before this Court.

8. I feel in the existing circumstances, if the second respondent could complete the investigation pertaining to the earlier FIR at the earliest, it may either put an end to the alleged illegal tender or lead to proper regulation of the tender process by the concerned authorities.

9. Though it is understandable that the representations given by the petitioner each year cannot form part of the investigation pertaining to the earlier FIR, the grievance of the petitioner cannot be effectively addressed, unless the investigation is completed in the earlier FIR. As stated already it is open to the petitioner to implead themselves in the pending writ petition in W.P(MD).No.20777 of 2025 filed by an individual challenging the



W.P.Crl.(MD)No.1148 of 2025

tender pertaining to the year 2025 and make their submission there.

It is equally open to the petitioner on the basis of the facts now pleaded to file a civil suit in order to get any appropriate relief against the fourth respondent from participating any further tender process.

10. With the above observations, this Writ Petition is closed directing the second respondent to complete its investigation in respect of earlier FIR No.RC2162025A0011 on 04.07.2025 as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petitions are also closed.

26.08.2025

NCC :Yes/No

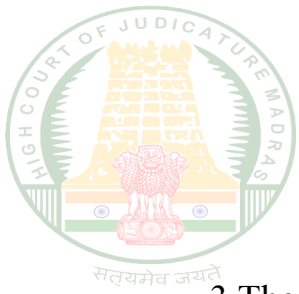
Index:Yes/No

Rmk

To

1.Union of India,
Through the Secretary,
Ministry of Home Affairs,
New Delhi -1.

2.The Superintendent of Police,
Central Bureau of Investigation,
8th Floor, Anti-Corruption-1,
Lodhi Road, Jawaharlal Nehru Stadium Marg,
CGO Complex, New Delhi 110003.



W.P.Crl.(MD)No.1148 of 2025

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

R.N.MANJULA. J.

Rmk

W.P.Crl.(MD).No.1148 of 2025

26.08.2025