

W.P(MD)No.24199 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

RESERVED ON : 08.09.2025
PRONOUNCED ON : 17.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.24199 of 2025 and
WMP(MD) No.18994 of 2025

K.Arjun

... Petitioner

Vs

- 1.The Engineer in Chief (WRD) cum Chief Engineer (Gen),
Water Resources Department (WRD),
Chepauk, Chennai – 600 005.
- 2.The Chief Engineer,
Water Resource Department (WRD),
Madurai Region, Madurai.
- 3.The Superintending Engineer,
Water Resources Department (WRD),
Periyar Vaigai Basin Circle,
Madurai.
- 4.The Executive Engineer,
Water Resources Department (WRD),
Periyar Vaigai Basin Division,
Madurai – 625 002.

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing



W.P(MD)No.24199 of 2025

the 3rd respondent herein, who in turn issue necessary direction to the 4th respondent herein to follow the transparency in issuing tender notice for the year 2025-2026 relating to the work Periyar Vaigai Basin Division, Madurai and Periyar Main Canal Division, Melur to the petitioner based on the petitioner's representation submitted to the 3rd and 4th respondent herein dated 28.07.2025.

For Petitioner : Mr.M.Muthukumar

For Respondents : Mr.R.Baskaran
Additional Advocate General,
Assisted by Amjadkhan
Government Advocate

ORDER

The petitioner a Class - IV contractor in the Water Resources Department has filed this writ petition seeking a writ of mandamus to the 3rd respondent the Superintending Engineer, Water Resources Department, Periyar Vaigai Basin Circle, Madurai to issue necessary directions to the Executive Engineer, Water Resources Department (WRD), Periyar Vaigai Basin Division, Madurai to follow the transparency in issuing tender notice for the year 2025 to 2026 relating to the work at Periyar Vaigai Basin Division, Madurai and Periyar Main Canal Division, Melur by considering his representation dated 28.07.2025.



WEB COPY

2.The petitioner with certain allegations as against the 4th respondent that the 4th respondent has awarded tender to the contractors of his choice, who are not registered with the Water Resources Department. According to him the 4th respondent without following the transparency has awarded contracts to one Kaviyarasan, native of Paraikulam and one Karuppaiah, native of Tirumangalam for the year 2024 and 2025, wherein these contractors Kaviarasan and Karuppaiah were not registered contractors with Water Resources Department.

3.The petitioner has made further allegations that the tender notice for the proposed works for the year 2025-2026 were not placed in the notice board and not communicated to the contractors by post. According to him, the 4th respondent has preferred contractors only who are offering illegal gratification to him and has also awarded contract to one Kaviyarasan and Karuppaiah at Uthamapalayam for Vaigai Sub Division without following the transparency in issuing tender notice.



WEB COPY

4.The learned counsel for the petitioner by referring to the information obtained by him under the Right to Information Act submits that one Kaviarasan, who is registered as Class-IV contractor with the Public Works Department was awarded the work in the Water Resources Department for special repairs to field channel of sluice No.III in Madakulam Tank supply channel in Achampathu Village of Madurai West Taluk. The agreement for this contract has been executed by the 4th respondent Executive Engineer, WRD, Periyar Vaigai Basin Division. Similarly the special repair work at Sathaiyar Odai was awarded to one Karuppaiah, who is registered as a contractor with the Public Works Department. The information provided under the RTI Act states that those who are registered as contractors with the Public Works Department are not entitled to get works in the Water Resources Department.

5.The learned Additional Advocate General submits that all the contractors including this petitioner were intimated about the tender by way of registered post. He has furnished the registers maintained in the Office of the WRD for the said communication for the year 2025-2026.



WEB COPY

6.The learned Additional Advocate General has also pointed out that this petitioner has participated in the tenders relating to 41 works within Periyar Vaigai Basin Division and was also awarded with 20 works in the year 2024-2025. However, the petitioner has not applied for any tender for the year 2025-2026. The petitioner was also awarded with work in the Melur Sub Division, worth about Rs.1.26 lakh. Therefore, according to the learned Additional Advocate General, the tender notification for the year 2025 – 2026 has not been awarded to any contractor and this writ petition has been filed in order to intimidate the department. According to him the procedure under the Tamil Nadu Tender Transparency Act and Rules has been scrupulously followed and this petitioner was also awarded with 20 works in the Periyar Vaigai Basin Division alone and another work in the Periyar main Canal Division, Melur.

7.This court considered the rival submissions made and perused the materials placed on record.



WEB COPY

8.The petitioner has filed this writ petition apprehending that the 4th respondent would assign works to the contractors, who are offering illegal gratification to him. The main contention of the petitioner is that the invitation to tenders for the year 2025-2026 was not properly issued, not placed in the notice board and also not communicated to the registered contractors by registered post. However it has been submitted by the learned Additional Advocate General that the tender process for the year 2025 - 2026 has not been completed and they have also communicated the details of the same, to the petitioner by way of registered post. The copies of the tapal registers for the year 2025-2026 are also placed before this court. Moreover this petitioner was provided with 20 works out of 41 works in which he participated. He was also awarded with another work in Periyar Main Canal, Melur Division.

9.Though the tender process is a commercial transaction, it involves public money. Considering the exploitation in the process of tender, the Government of Tamil Nadu has enacted the Tamil Nadu Tender Transparency Act. Even after the enactment of this Act,



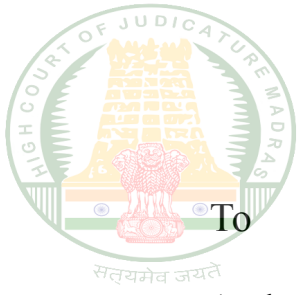
W.P(MD)No.24199 of 2025

the scenario has not been changed. The authorities who are awarding contracts are preferring the contractors to their whims and fancies either by not providing tender notice or not informing about the tender and also by imposing onerous conditions. The 3rd and 4th respondents being public authorities, acting on public trust are expected to perform their duties in accordance with the law without giving any room for such allegations. At the same time the intimidation by the contractors as against the officials can also not be ruled out.

10. With the hope that the officials would discharge their duty diligently, in accordance with law by strictly adhering to the Tamil Nadu Tender Transparency Act and the Rules, this writ petition is closed. No costs. Consequently connected miscellaneous petition is closed.

17.10.2025

DSK



W.P(MD)No.24199 of 2025

WEB COPY

- 1.The Engineer in Chief (WRD) cum Chief Engineer (Gen),
Water Resources Department (WRD),
Chepauk, Chennai – 600 005.
- 2.The Chief Engineer,
Water Resource Department (WRD),
Madurai Region, Madurai.
- 3.The Superintending Engineer,
Water Resources Department (WRD),
Periyar Vaigai Basin Circle,
Madurai.
- 4.The Executive Engineer,
Water Resources Department (WRD),
Periyar Vaigai Basin Division,
Madurai – 625 002.



WEB COPY



W.P(MD)No.24199 of 2025

B.PUGALENDHI, J.

DSK

W.P(MD)No.24199 of 2025

17.10.2025