



W.P.(MD)No.27528 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.10.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.27528 of 2025

and

W.M.P.(MD).Nos.21417 & 21418 of 2025

Sun Constructions,
Represented by its Managing Partner,
M.Mohamed Sait

: Petitioner

Vs.

1.The Superintendent Engineer (H),
Construction and Maintenance Circle,
Thiruchirappalli.

2.The Divisional Engineer (H),
Construction and Maintenance Circle,
Aranthangi,
Pudukkottai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to issue work site inspection certificate and working condition of the plants and machineries certificate to the petitioner for Serial Nos. 3 and 4 in Tender Notice No.20/2025-2026/HDO dated 19.08.2025 of the first respondent by considering the request of the petitioner dated 20.09.2025 forthwith.



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For Petitioner : Mr.B.Saravanan,
Senior Counsel
For Respondents : Mr.Veera Kathiravan,
Additional Advocate General-II,
assisted by
Mr.C.Venkatesh Kumar,
Special Government Pleader

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus to direct the second respondent to issue work site inspection certificate and working condition of the plants and machineries certificate to the petitioner for Serial Nos. 3 and 4 in Tender Notice No. 20/2025-2026/HDO dated 19.08.2025 of the first respondent by considering the request of the petitioner dated 20.09.2025 forthwith

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The learned Senior Counsel appearing for the petitioner would submit that the petitioner is a registered Class-I Contractor with the first



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respondent and his registration has been renewed periodically and is still in force. While so, the first respondent issued a tender notification dated 19.08.2025 in Tender Notice No.20/2025-2026/HDO, and as per the notification, the tender schedule could be downloaded between 30.08.2025 and 30.09.2025, and the last date for submission of the tender application was fixed as 30.09.2025.

4. The petitioner had downloaded the application on 20.09.2025 and made a request to the second respondent for issuance of the Work Site Inspection Certificate and Working Condition of the Plants and Machineries Certificate. However, the said certificates were not issued to him till date. Hence, the present writ petition has been filed seeking appropriate direction from this Court.

5. The learned counsel appearing for the petitioner would further submit that the petitioner made a representation before the second respondent on 20.09.2025 seeking issuance of the above said certificates, but the same was not considered by the second respondent. It is contended that the failure of the second respondent to issue the certificates has resulted in the petitioner being prevented from participating in the tender process, which is arbitrary and unsustainable.



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6. Per contra, the learned Additional Advocate General-II appearing for the respondents would submit that the tender applications were made available on the website from 19.08.2025. As per the petitioner's own affidavit, he downloaded the application only on 20.09.2025 for obtaining the above certificates, which were required to be issued before 26.09.2025 so as to enable the petitioner to submit the tender on or before 30.09.2025. He would further submit that, as per the prescribed guidelines, the petitioner ought to have approached the respondents in person and made a formal request for inspection of his work site to facilitate the issuance of the certificates. However, the petitioner has not done so and instead has approached this Court at the last moment, which is impermissible in law.

7. This Court is of the considered opinion that the petitioner, having not complied with the procedure prescribed for obtaining the requisite certificates within the stipulated time, cannot seek a direction under Article 226 of the Constitution of India at the fag end of the tender process. Therefore, this Court finds no merit in the writ petition.



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8. In view of the above, this writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

03.10.2025

Index : Yes / No
NCC : Yes / No
TSG

To

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M.DHANDAPANI, J.

TSG

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