



W.P(MD)No.27573 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**

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and

W.M.P(MD) Nos.21473, 21474 & 21476 of 2025

PRR Construction,
No.1839/1A, Ambalapuram,
2nd Street,
Pudukkottai District,
Represented by its Managing Partner,
Ramalingam.

... Petitioner

Vs.

- 1.The Superintending Engineer (Highways),
NABARD and Rural Roads, Trichy.
- 2.The Divisional Engineer (Highways),
NABARD and Rural Roads,
Pudukkottai Division,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to issue the work site inspection Certificate and working condition of plants and machineries certificate to the petitioner to enable him participate in the Tender Notice Number 32/2025-26/SDO dated 15.09.2025 for the works covered in SI Nos.1 to 8 issued by the first



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respondent and in the alternate to direct the first respondent to accept the tender documents to be uploaded by the petitioner without insisting for the production of work site inspection Certificate and working condition of plants and machineries certificate for the above said works.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
Assisted by
Mr.C.Venkatesh Kumar
Special Government Pleader

ORDER

The petitioner has filed the present Writ Petition seeking a direction to the second respondent to issue the Work Site Inspection Certificate and Working Condition of Plants and Machineries Certificate to enable him to participate in Tender Notice No.32/2025-26/SDO dated 15.09.2025, for the works covered in Sl Nos.1 to 8 issued by the first respondent. In the alternative, the petitioner seeks a direction to the first respondent to accept the tender documents to be uploaded by him without insisting for the production of aforesaid certificates for the said works.

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



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3. According to the petitioner, he is a Class-I Contractor carrying out various kinds of buildings, roads and construction works in different Government Departments. While so, the first respondent, by notice dated 15.09.2025, invited applications from eligible contractors for carrying out various road works with the funds provided by the Central Government. As per the tender notification, tenderers are required to obtain a certificate from the Divisional Engineer regarding work site inspection and the working condition of plant and machineries.

4. Further, according to the petitioner, in order to participate in the said tender, he submitted an application before the second respondent on 25.09.2025 requesting the issuance of the Work Site Inspection Certificate and Working Condition of Plants and Machineries Certificate. Despite repeated requests, the second respondent failed to issue the certificates. Hence, the petitioner has filed the present Writ Petition.

5. The learned counsel appearing for the petitioner submitted that the respondents ought not to have deprived the petitioner of his valuable right to participate in the tender process, which is protected under Article 19(1)(g) of the Constitution of India.



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6. When the matter is taken up for hearing today, the learned Additional Advocate General appearing for the respondents submitted that the second respondent has passed an order dated 03.10.2025, rejecting the petitioner's request.

7. At this juncture, the learned counsel appearing for the petitioner seeks liberty to challenge the said order in accordance with law.

8. In view of the abovesaid submissions, this Writ Petition is dismissed with liberty to the petitioner to challenge the rejection order passed by the second respondent, dated 03.10.2025, in the manner known to law. No costs. Consequently, connected Miscellaneous Petitions are closed.

03.10.2025

Index : Yes / No
NCC : Yes / No
ps



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M.DHANDAPANI, J.

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