



W.P.(MD)No.30715 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD)No.30715 of 2025
and W.M.P(MD).Nos.23865, 23863 and 23858 of 2025

A.Velani

... Petitioner

Vs.

- 1.The Secretary to Government,
Municipal Administration Water Supply Department,
Seretariat, Chennai -9.
- 2.The Executive Officer,
Thondi Town Panchayat,
Ramanathapuram District.
- 3.The Assistant Executive Engineer,
Town Panchayats,
Sivagangai Region,
Sivagangai.
- 4.Vel Groups,
rep., by M.Sakthivel
- 5.K.Balasubramanian

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the second respondent made in Tender ID No.2025-



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DTP-611487-1, dated 23.10.2025 and the consequential confirmation of financial bid made in favour of the fourth respondent in Tender ID No.2025-DTP-611487-1, dated 23.10.2025 and quash the same and consequently direct the respondents 1 to 3 to award the tender work in favour of the petitioner.

For Petitioner : Mr.R.Murali

For Respondents : Mr.Ajmalkhan
Additional Advocate General
assisted by Mrs.S.Jeyapriya
Government Advocate (for R1 & R3)
Mr.M.Senthil Iyannar
Government Advocate (for R2)

ORDER

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

2. This writ petition has been filed to quash the proceedings of the second respondent made in Tender ID No.2025-DTP-611487-1, dated 23.10.2025 and the consequential confirmation of financial bid made in favour of the fourth respondent in Tender ID No.2025-DTP-611487-1, dated 23.10.2025 and seek direction to the respondents 1 to 3 to award the tender work in favour of the petitioner.



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3. It is the case of the petitioner that he is a Class I Contractor registered with the Public Work Department for several years and has also executed various works under the second respondent Town Panchayat. The second respondent Town Panchayat issued a tender notification inviting bids for several works, including the Development of a Paver Block Road at Thondi Town Panchayat, Ward No.3, Akaragharam Street 1 to various adjoining streets under Na.Ka.No.85/2025, dated 30.09.2025. As per the tender condition, the last date for submission of bids was 10.10.2025 up to 03.00 pm., and the opening of the tender was scheduled on the same day at 03.30 pm. The documents were required to be submitted only through online mode. Four persons, including the petitioner, participated in the tender process. Out of the four bidders, the petitioner and the fourth respondent were declared technically qualified. In the financial bid, the fourth respondent was declared as L1 bidder. After the confirmation of the financial bid, the work order was issued in favour of the fourth respondent by the second respondent.

4. It is the contention of the petitioner that the technical bid was scheduled to be opened on 10.10.2025, however it was opened only on 13.10.2025 that too without any intimation to the participants, nor was it reflected in the online status. It is further contended that the acceptance of the



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fourth respondent's technical bid is illegal as the fourth respondent did not satisfy the eligibility criteria prescribed in the technical bid qualifications. It is also alleged that the second respondent violated the tender conditions. Hence, the petitioner seeks to quash the impugned proceedings of the second respondent.

5. Heard the learned counsel on either side and perused the materials on record.

6. Insofar as the above relief is concerned, there exists an alternate remedy in the form of an appeal to the appellate authority. However, from the tender summary report, it is evident that the tendering authority has violated its own circulars. The tender was scheduled to be opened on 10.10.2025, however it was not opened on the said date and appears to have been postponed to another date. The tender summary report does not disclose the actual date on which the tender was opened. It merely shows that the status was updated on 23.10.2025. The technical bid opening summary report indicates that it was updated on 13.10.2025. Further, the technical evaluation summary report was updated on 23.10.2025 at 10.33 am., and the finance bid opening summary was also updated on 23.10.2025.



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7. The learned Additional Advocate General, on instructions, would submit that bid was opened on 15.10.2025. However, this detail does not find place in the tender summary report. The discrepancy indicates that all is not well in the manner in which the work has been awarded. Therefore, till the disposal of the appeal before the appellate authority, the work order issued shall remain stayed. The petitioner is directed to file an appeal within a week from today (i.e., 30.10.2025) and shall not await the copy of this order. The appellate authority shall dispose of the appeal to be filed by the petitioner within a period of two weeks thereafter, after giving due notice to the both parties and hearing them.

8. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

30.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Rmk



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To

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P.T.ASHA, J.

Rmk

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