



W.P(MD)No.36637 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.36637 of 2025

M/s.S.S & Co.,
Rep. by its Managing Partner,
Mr.B.Subamanian,
No.28/6, Chithambaranathapuram 1st Street,
Devakottai, Sivagangai District.

... Petitioner

Vs.

1.The Superintending Engineer (NH),
National Highways,
Madurai Circle,
Madurai-02.

2.The Divisional Engineer (NH),
National Highways,
Madurai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to forthwith issue the Work Site Inspection Certificate and Working Condition of Plant and Machinery Certificate to the petitioner, based on the application dated 08.12.2025, enabling the petitioner to submit the tender bid as per the Tender Notification issued by the 1st



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respondent vide Tender Notice No.15/2025-26/HDO/NH, dated 02.12.2025 for the Job.No.TN-CRIF-2025-26-TRY-43 and thus render justice.

For Petitioner : Mr.H.Lakshmishankar for
Mr.A.Mohan

For Respondents : Mr.B.Saravanan,
Addl. Govt. Pleader

ORDER

The present writ petition has been filed seeking a mandamus directing the second respondent to forthwith issue the Work Site Inspection Certificate and the Working Condition of Plant and Machinery Certificate to the petitioner based upon his application dated 08.12.2025.

2. The learned Additional Government Pleader appearing for the respondents submits that as far as the constitution of the petitioner firm is concerned, the same is in dispute in view of the fact that two minors are admitted as partners. Questioning the same, already a show cause notice has been issued to the petitioner firm. Challenging the show



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cause notice, the petitioner has preferred W.P.(MD)No.33193 of 2025 and an order of interim stay has been granted.

3. According to the learned Additional Government Pleader, when the validity of the constitution of the firm is under dispute, the question of issuing the work site inspection certificate or any other certificate as requested by the petitioner would not arise.

4. However, the learned counsel appearing for the petitioner submits that he may be issued with a relevant certificate to enable him to submit his bid form.

5. In view of the above facts, the petitioner is permitted to approach the concerned authorities today itself along with all the relevant records and on satisfaction, the authorities are directed to issue the relevant certificates. It is made clear that issuance of the certificates would not in any way decide the validity of the constitution of the petitioner firm.



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WEB COPY 6. With the said observations, the Writ Petition stands disposed of.

No costs

19.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

vsm

Note: Issue order copy on 19.12.2025.



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To

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National Highways,
Madurai Circle,
Madurai-02.
- 2.The Divisional Engineer (NH),
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R.VIJAYAKUMAR,J.

vsm

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