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WP No. 2162 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P No. 2162 of 2026

and W.M.P.Nos.2343, 2345 and 2346 of 2026

E. Govindharajan
S/o.Ethirajulu,
Proprietor of M/s.Associated Marketing
Office at F1, 4-24
Ragav Apartments, 1st floor,
Raghavaiah Road, T.Nagar,
Chennai-600 017

..Petitioner(s)

Vs

1. The State of Tamilnadu
Rep by its Secretary,
BC.,MBC and Minorities welfare Department
Secretariat,
Chennai-600 009
2. The Commissioner
Backward classes welfare Department
Chennai-600 005
3. The Tender Inviting Authority
Backward Classes welfare Department
Chennai-600 005

..Respondent(s)



PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for records of the impugned order sent through e-mail dated 08.01.2026 on the file of the 2nd and 3rd respondent rejecting the bid of the petitioner in Tender No.BC/06/2025-26 for supplying Welcome Kits to Social Justice Hostels for the year 2025-2026 and to quash the same and consequently direct the 1st and 2nd respondents to permit the petitioner to call for a fresh tender for supplying Welcome Kits to Social Justice Hostels for the year 2025-2026.

For Petitioner(s): Mr. R.Prasanna Vineeth Durai

For Respondent(s): Mr. J. Ravindran
Additional Advocate General
Assisted by
Mr. D. Gopal, Government Advocate

ORDER

The present Writ Petition has been filed seeking the issuance of a Writ of Certiorarified Mandamus calling for records of the impugned order communication through e-mail dated 08.01.2026 on the file of the 2nd and 3rd respondent rejecting the bid of the petitioner in Tender No.BC/06/2025-26 for supplying Welcome Kits to Social Justice Hostels for the year 2025-2026 and to quash the same and consequently direct the 1st and 2nd respondents to permit the petitioner to call for a fresh tender for supplying Welcome Kits to Social Justice Hostels for the year 2025-2026.



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2. The learned counsel for the petitioner submitted that the petitioner, being a Proprietor engaged in the business of supply of goods to various Government Departments, has been regularly participating in public tenders in compliance with applicable laws and prescribed procedures. While so, the first respondent issued a Notification vide G.O.(Ms).No.70, BC, MBC & Minorities Welfare Department, dated 31.07.2025 calling for issuance of Welcome Kits to students joining the Social Justice Hostels for the year of 2025-2026. Pursuant thereto, the 1st and 2nd respondents floated the tender.

3. The petitioner, under their trade name “Associated Marketing”, participated in the tender floated by the 2nd respondent vide Tender No.BC/06/2025-56 and submitted the Technical-cum-Commercial Bid and Price Bid on 27.12.2025 through the prescribed mode in accordance with the terms and conditions. As per the tender schedule, the samples were directed to be submitted on or before 28.12.2025. Since the said date fell on a Sunday, the petitioner submitted the samples on the next working day, i.e. 29.12.2025 (Monday), in accordance with established governmental practices.



4. However, the petitioner's bid was rejected at the Technical Evaluation Stage citing Clause XIV of the Tender Document, on the ground that the samples were not submitted within the stipulated time, i.e. on or before 28.12.2025. Aggrieved by the said rejection, the present Writ Petition has been filed.

5. The learned counsel for the petitioner contended that the rejection is arbitrary and unreasonable, as the last date for submission of samples fell on a non-working day, and submission on the next working day ought to have been treated as valid compliance.

6. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents and perused the materials placed before this Court.

7. The facts of the case are not in dispute. It is admitted that the petitioner participated in the tender process pursuant to G.O.(Ms).No.70, BC, MBC & Minorities Welfare Department, dated 31.07.2025. The rejection of the petitioner's bid is on the ground of non-submission of samples within the stipulated date.



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8. However, Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998, provides for a statutory appeal before the Appellate Authority against any order passed in the tender process. In view of the availability of an effective alternative statutory remedy, this Court is not inclined to entertain the Writ Petition under Article 226 of the Constitution of India.

9. Accordingly, without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to approach the Appellate Authority under Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998.

10. With the above liberty, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

30-03-2026

Asi



To

1. The Secretary,
BC ,MBC and Minorities welfare Department
Secretariat, Chennai-600 009
2. The Commissioner
Backward classes welfare Department
Chennai-600 005
3. The Tender Inviting Authority
Backward Classes welfare Department
Chennai-600 005



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M.DHANDAPANI, J.

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