



WEB COPY

WP No. 2952 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

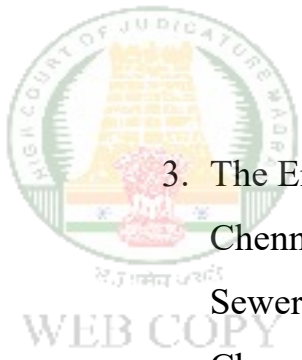
**WP No. 2952 of 2026
and WMP.Nos.3302 & 3303 of 2026**

Chennai Metro Water Engineering Contractors
Welfare Association,
Represented by its President
G. Shrirangharayan,
S/O. S.Ganapathi,
NO. 13 HIG II, 2nd Cross Street, Nolambur,
Phase I, Mogappair West, Chennai-37.

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep. by Secretary to Government,
Municipal Administration and Water Supply
Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSSB), Chintadripet,
Chennai-600002.



3. The Engineering Director,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSSB), Chintadripet,
Chennai-600002.

4. The Superintending Engineer (Contract and
Monitoring),
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSSB), Chintadripet,
Chennai-600002.

..Respondent(s)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for records with respect of the impugned tender proceedings as floated by the 4th respondent in his Proceedings dated 18.12.2025 in CNT/WSS/NCB/ADB/001/2025-26 by adopting package system and quash the same and consequently direct the respondents to invite the tender for the said work by splitting into small packages/zones by considering the representation of the petitioner dated 25.09.2025.

For Petitioner(s): Mr.R.Nalliyappan

For Respondent(s): Mr.G.Ameedius, GA for R1;
Mr.P.S.Raman, Advocate General, asstd. by
Mr.Krishna Ravindran, ST.C. for R2 to R4



ORDER

This Writ Petition has been filed for the following reliefs:-

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“ calling for records with respect of the impugned tender proceedings as floated by the 4th respondent in his Proceedings dated 18.12.2025 in CNT/WSS/NCB/ADB/001/2025-26 by adopting package system and quash the same and consequently direct the respondents to invite the tender for the said work by splitting into small packages/zones by considering the representation of the petitioner dated 25.09.2025. ”

2. The case as pleaded by the petitioner in the affidavit filed in support of this Writ Petition is briefly set out herein below as follows:-

3. The petitioner is an association of registered and experienced contractors who have been executing various works for the respondent Board, namely, the CMWSSB. The petitioner association seeks to challenge the action of the respondents in floating a single, large and composite tender under the package system, vide tender dated 18.12.2025, for the execution of an extensive and complex water supply infrastructure project covering the entire city of Chennai.

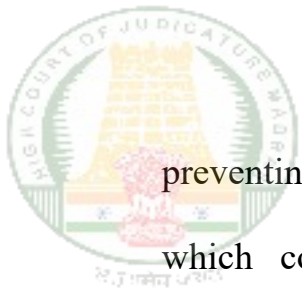


4. As per the tender, scope of works covers the supply, laying testing and commissioning 91 KM Ring Main with MS Pipes, replacement of Major pump sets, feeder mains transmission main for 64 KM, SCADA system, surge protection works, construction of 24 pipes carrying bridges, trenchless crossing for Railway, NH/SH and Metro Railways and operation and maintenance for 10 years. All these works have been bundled into a single package.

5. The petitioner's contention is that the adoption of the package system is arbitrary, unreasonable, and against public interest, as it eliminates competition in the tender process and restricts participation to a few large corporate entities.

6. On 25.09.2025, the petitioner had submitted a detailed representation to the respondents; however, without considering the same, the respondents have mechanically proceeded to issue the impugned tender under the package system. Challenging the same, the petitioner is before this Court.

7. The learned counsel for the petitioner would submit that, by issuing a tender under a single package system, the respondents were, in effect,



preventing small contractors from participating in the tender, as a result of which competition among contractors was absent. Further, only a few contractors could participate in the tender, thereby creating a monopoly. He would rely upon the judgment of the Division Bench in W.P. (MD) No. 26373 of 2024, wherein the challenge was to tenders issued under the package system in respect of works to be undertaken on behalf of the Highways Department.

8. The learned counsel for the petitioner would further submit that, in the said judgment, the Bench had observed that the grouping of several works in a single tender was irrational and made with the object of eliminating a certain class of contractors, as a result of which healthy competition did not exist, however, the Bench ultimately proceeded to dismiss the Writ Petition.

9. The learned counsel for the petitioner would submit that, earlier, contracts were being awarded zone-wise or area-wise, and this ensured speedy maintenance, better management, risk distribution, etc.

10. The learned Advocate General, on the other hand, would submit that, after intense deliberations, it was decided to float the tender under the package



system. He would further submit that the petitioner association cannot dictate the manner in which the authority decides to execute the work. He would contend that floating a tender under the package system would ensure easier management, better work efficiency, and speedy execution of the work. He would also question the locus standi of the petitioner to challenge the tender process itself and he would therefore pray for the dismissal of the Writ Petition.

11. Heard the learned counsel on either side and perused the records.

12. From a perusal of the records, it is seen that the respondents intended to provide a Ring Main System in Chennai City (GCC limits), including operation and maintenance for a period of 10 years. The entire project is being financed by the Asian Development Bank pursuant to an application made by the Government of Tamil Nadu through the Government of India towards the cost of the Chennai Climate Resilient Water Security and Sewerage Project, and the tender now floated pertains to the operational project being so financed.

13. The only grievance put forward by the petitioner association is that all its members cannot participate in the tender, as it involves huge financial



resources which is available only with a few entities. This cannot be a ground to challenge the tender, particularly when the work has been initiated at the behest of the Government with funding from the Asian Development Bank. Before floating the tender, the entire matter had been discussed threadbare, and the Committee decided to adopt the package system. This Court, exercising jurisdiction under Article 226, cannot dictate to the authorities with regard to their commercial requirements. The petitioner association has approached this Court solely on the ground that it is suffering a commercial disadvantage on account of the package system. Therefore, no public interest is involved and the present litigation is purely a private commercial dispute.

14. In view of the above discussions, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

02-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SHR



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P.T.ASHA, J.

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