



WA No.284 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2026

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

Writ Appeal No.284 of 2026
and CMP No.2589 of 2026

M/s.Dilip Buildcon Limited
Rep. By Mr.Shubham Tyagi (Authorised Signatory)
Plot No.5, Inside Govind Narayan Singh Gate,
Chuna Bhatti, Kolar Road, Bhopal – 462 016. .. Appellant

-VS-

1. State of Tamil Nadu,
Rep. By Secretary to the Government,
Highways and Minor Ports Department,
Chennai.
2. The Chairman
Tamil Nadu State Highway Authority
1st Floor, Training Centre Building,
Highways Research Centre Campus,
76, Sardar Patel Road, Guindy,
Chennai 600 025.
3. The Tender Inviting Authority/The Member
Technical, Tamil Nadu State Highway Authority,
1st Floor, Training Centre Building,
Highways Research Centre Campus,
76, Sardar Patel Road, Guindy,
Chennai 600 025.



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4. KNR Construction Limited,
Rep. By its Authorised Representative,
KNR House, 3rd and 4th Floor,
Plot No.113 & 114, Phase-1,
No.36, Kavuri Hills, Jubilee Hills Road,
Hyderabad 500 033.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 29.01.2026 passed in W.P.No.152 of 2026 on the file of this Court.

For Appellant : Mr.C.Manisankar
Senior Counsel
for Mr.M.Ashwin Kumar

For Respondents : Mr.P.S.Raman
Advocate General
Asst. By M/s.R.L.Karthika,
Govt. Advocate for RR 1 to 3
: Mr.AR.L.Sundaresan
Senior Counsel,
for Mr.Vaibhav R.Venkatesh for R-4

* * * * *

JUDGMENT

(Judgment of the Court was delivered by the Hon'ble Chief Justice)

Heard.

2. Today, when the matter comes up for consideration before this Court, learned counsel for the respondents would submit that now



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the reasons for rejection of the technical bid of the appellant have been communicated to him.

3. Learned senior counsel for the appellant would submit that upon communication of the reasons made to him, according to him, the reasons are manifestly and patently arbitrary and illegal for the reason elaborately stated in the additional documents filed along with the letter of rejection.

4. Learned Advocate General would submit that once the reasons have been communicated to the appellant, he has an alternative and efficacious statutory remedy of filing appeal before the competent authority under Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998.

5. Even though learned counsel for the appellant would strenuously urge this Writ Appellate Court to examine the correctness and validity of the reasons for rejection, we are of the view that this aspect needs to be examined first by the Appellate Authority before it is brought to the Writ Court. We also noticed that as a matter of fact,



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the order of the learned Single Judge shows that the legality/validity of the reasons rejecting the technical bid was not examined by the learned Single Judge and the matter has turned on some other aspects.

6. We also take note of the fact that alternative remedy is quite efficacious inasmuch as the law mandates that the appeal has to be decided within 15 days.

7. Therefore, in these circumstances, we are inclined to dispose of this appeal giving the appellant liberty to file appeal before the competent statutory authority within five days from today. It will be open for the appellant to take all grounds which are available to him under law including those which have been stated in the affidavit filed before us.

8. As statutorily mandated, the Appellate Authority shall take a decision one way or the other within a period of 15 days from the date of submission of appeal.



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9. In the circumstances of the case and as submitted by the learned Advocate General that the appeal itself is to be decided one way or the other within the outer limit of fifteen days, may be even less than that, further action towards issuance of work order should not be precipitated.

10. We hasten to add that while deciding the appeal, the Appellate Authority shall not be influenced by any observations made by the learned Single Judge.

There shall be no order as to costs. Consequently, the interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
16.02.2026

Index : Yes/No
Neutral Citation : Yes/No

sra



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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN, J.

(sra)

To

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Highways and Minor Ports Department, Chennai.
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