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W.P.No.4592 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2026

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THE HONOURABLE Ms. JUSTI CE P.T. ASHA

W.P.No.4592 of 2026
and W.M.P.Nos.5097 and 5099 of 2026

A.Krishnan

... Petitioner

Vs.

1. Public Works Department,
Represented by its Chief Engineer,
Office of the Chief Engineer,
Projects, Chepauk,
Chennai 600 005.
2. Executive Engineer,
Public Works Department,
Projects Division (Technical Education Division),
Vellore-2.
3. M/s.C.K.S.Constructions,
Godlumarampatti, Bikkamapatti Post,
Pennagaram Taluk, Dharmapuri District.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus calling for the records relating to Tender ID No 2026_HE_642338_1 (Second Call dated 12.01.2026) pertaining to the work of construction



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of 10 classrooms, one boys' toilet and one girls' toilet at the Government Arts College, Harur, Dharmapuri District, and the consequential tender communication dated 29.01.2026 issued by the 1st respondent, whereby the petitioner was technically disqualified after having been declared as the Lowest Bidder (L1), and quash the same as illegal, arbitrary and unconstitutional, and consequently direct the 1st respondent to treat the petitioner as technically qualified and to consider his financial bid by treating him as L1 for the purpose of award of the said work.

For Petitioner : Mr.P.J.Rishikesh

For Respondents : Mr.M.Suresh Kumar,
1 and 2 Additional Advocate General
assisted by Mr.V.Jeevagiridharan,
Additional Government Pleader.

For Respondent-3 : Mr.A.Elambarithi

ORDER

The writ petition is filed for the following relief:

“To issue a writ of Certiorarified Mandamus calling for the records relating to Tender ID No 2026_HE_642338_1 (Second Call dated 12.01.2026) pertaining to the work of construction of 10 classrooms, one boys' toilet and one girls' toilet at the Government Arts College, Harur, Dharmapuri District, and the consequential tender communication dated 29.01.2026 issued by the 1st Respondent, whereby the Petitioner was



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technically disqualified after having been declared as the Lowest Bidder (L1), and quash the same as illegal, arbitrary and unconstitutional, and consequently direct the 1st Respondent to treat the Petitioner as technically qualified and to consider his financial bid by treating him as L1 for the purpose of award of the said work.”

2. The Petitioner is a Class-I registered contractor with an unblemished record under the Public Works Department. A Notice Inviting Tender dated 03.11.2025 was issued for construction works at Government Arts College, Harur, with the last date for submission on 24.11.2025. The petitioner had inspected the site and obtained a Site Visit Certificate dated 21.11.2025. However, the tender was cancelled on 25.11.2025 citing “Administrative Reasons”. The very same tender was re-floated on 12.01.2026. The Petitioner again inspected the site on 13.01.2026 and sought for issuance of a fresh Site Visit Certificate through representations dated 13.01.2026 and 19.01.2026. Despite acknowledgment of the site visit, the certificate was not issued in time, compelling the petitioner to upload a self-declaration with GPS-tagged photographs.



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3. On 21.01.2026, the petitioner was pre-qualified and his financial bid was opened. On 26.01.2026, he was declared L1 (lowest bidder). The Site Visit Certificate dated 20.01.2026 was dispatched only on 21.01.2026 and received by the petitioner on 27.01.2026. Thereafter, on 29.01.2026, the petitioner was arbitrarily disqualified on technical grounds citing the failure to upload the certificates, and the 3rd respondent was called for negotiations. The impugned action is arbitrary, mala fide, violative of Articles 14 and 19(1)(g) of the Constitution, contrary to settled tender law, and against public interest.

4. Mr.M.Suresh Kumar, learned Additional Advocate General appearing for respondents 1 and 2, on instructions and from the documents referred above would submit that the Site Visit Certificate was issued to the petitioner only after the date fixed for submission of the bid. Therefore, the respondents have decided to scrap the tender process and are proposing to issue a fresh tender notification.



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5. Recording the submission made by the learned Advocate General, this Writ Petition is disposed of . No costs. Consequently, connected miscellaneous petitions are closed.

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(srn)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1. The Chief Engineer,
Public Works Department,
Office of the Chief Engineer,
Projects, Chepauk,
Chennai 600 005.
2. The Executive Engineer,
Public Works Department,
Projects Division (Technical Education Division),
Vellore-2.



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P.T. ASHA. J.,

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