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W.P.No.4355 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.02.2026

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 4355 of 2026

&

W.M.P.Nos. 4839 & 4842 of 2026

M/s. V.S.V. Constructions

Rep. by its Managing Partner

V.Sridharam

No. 31, R.P.Sivam Nagar

Depot Road

Mannargudi - 614 001

Thiruvarur District

...Petitioner

Vs.

1) The District Collector/ Chairman

District Rural Development Agency

Nagappattinam District

Nagappattinam

2) The Project Director

District Rural Development Agency

Nagappattinam

...Respondents



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Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Mandamus, calling for the records of the first respondent in Na.Ka.No. 1134/C8/2025 dated 28/01/2026 relating to cancellation of the work orders and quash the same in so far as the petitioner is concerned and consequently direct the respondents to extend the time for the completion of the works entrusted to the petitioner.

For Petitioner : Mr. S.Kamadevan

For Respondents : Mr. V.Jeevagiridharan
Additional Government Pleader.

ORDER

This writ petition is filed for the following relief:

“To call for the records of the first respondent in Na.Ka.No. 1134/C8/2025 dated 28/01/2026 relating to cancellation of the work orders and quash the same in so far as the petitioner is concerned and consequently direct the respondents to extend the time for the completion of the works entrusted to the petitioner”.



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2. The petitioner firm is a registered Class-1 contractor under the Highways and Rural Development Department and undertook several works and the same have been completed successfully.

3. The petitioner would submit that the 1st respondent had called for an online tender on 16.05.2025, for laying and strengthening village panchayat roads under the scheme, namely, “Muthalvarin Grama Salaigal Membattu Thittam” Phase-II in Nagappattinam District. The petitioner participated in the tender process and was declared as a successful bidder.

4. The petitioner would submit that due to heavy rainfall in Nagapattinam District, the work could not be carried out as expected, as a result, the 2nd respondent issued a notice intimating that there is a delay in completing the work and the same should be expedited and completed. Thereafter, on 25.11.2025 in a review meeting conducted by the 2nd respondent, the petitioner expressed their grievances, particularly the climate conditions and the incessant rainfall, which is



causing delay in completing the work.

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5. The petitioner's grievance is that without considering the factual aspects and views expressed by the petitioner in the review meeting held on 25.11.2025, the respondents have imposed penalty on the petitioner on 07.01.2026. Thereafter, by proceedings dated 28.01.2026, the respondents have cancelled the tender already awarded to the petitioner.

6. Challenging the said order, the petitioner is before this Court.

7. Heard the learned counsels on the either side and perused the records.

8. The grievance of the petitioner is that due to heavy rainfall in Nagappattinam District, they could not complete the work undertook by them. They have also expressed their grievance in the review meeting conducted by the 2nd respondent on 25.11.2025. However, the respondents have cancelled the tender awarded to the petitioner.



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9. Clause 19 of the tender conditions reads as follow:

“19. EXTENSION OF TIME FOR COMPLETION

“Time shall be considered as the essence of the contract, should the amount of extra or additional work of any kind or any cause or delay referred to in these condition, on any cause of delay hereof or exceptional adverb climatic conditions, or other special circumstances of any kind whatsoever which may occur, other than through a default of the contractor be such as fairly to entitle the contractor to an extension of time for the completion of the works without any extra financial commitment.”

A reading of the above clause clearly shows that if the work is not completed due to climatic conditions and other special circumstances, the contractor shall be granted extension of time for the completion of work.



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10. In view of the above discussion and in the light of clause 19 of the tender conditions, the petitioner is directed to give a fresh representation to the respondents giving details of the stage at which the work is now pending and the time limit within which they would complete the work. The petitioner shall enclose photographs with the representation to show the stage of the work and the representation shall be disposed of within a period of 2 weeks from the date of receipt of a copy of this order.

11. It is made clear that the order dated 28.01.2026 shall be kept in abeyance till then.

12. This writ petition is disposed of with the above direction. Consequently, the connected miscellaneous petitions are closed. No costs.

06.02.2026

Index : Yes/No
Internet : Yes/No
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To

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1) The District Collector/ Chairman
District Rural Development Agency
Nagappattinam District
Nagappattinam

2) The Project Director
District Rural Development Agency
Nagappattinam



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