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REV.APLW No. 53 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

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

REV.APLW No. 53 of 2026

AND

WMP NO. 10149 & 10150 of 2026

P.Annadurai
Son of Pachaiappa Gounder
25A Kaliappa Gounder St.,
Dharmapuri.

..Petitioner(s)

Vs

1. P.Baskaran
S/o Pachaiappan,
Engineering Contractor,
No 41/2, 1st Cross Street,
Nedumaran Nagar, Dharmapuri.
2. The State of Tamil Nadu
Rep by its Secretary,
Highways Department,
Fort St. George, Chennai 600 009.
3. The Superintendent Engineer
Highways Department,
Construction Maintenance,
Steel Plant Road,
Jahirammappalayam, Salem 636 302
4. The Tender Scrutiny Committee
Highways Department,
Steel Plant Road,
Jahirammappalayam,
Salem 636 302.

..Respondent(s)



Prayer: Review Petition has been filed under Order 47 Rule 1, r/w. 114 of C.P.C to review the final order dated 18.02.2026 in W.P.No.6338 of 2026.

For Petitioner: Mr.Sharath Chandran

For Respondents: Mr.T.R.Rajagopalan, Senior Counsel
for Mr.Aswin Prasanna for R1
Mr.M.Suresh Kumar,
Additional Advocate General
Assisted by Mr.V.Jeevagiridharan,
Additional Government Pleader for R2 to R4

ORDER

Seeking to review the order passed in W.P.No.6338 of 2026, the petitioner has filed the present review petition as a third party.

2. The review petition has been filed on the ground that the review petitioner, who was the successful bidder, had not been impleaded as a party to the writ petition and there has been total suppression on the part of the writ petitioner as well the respondents.

3. The writ petition had been filed to quash the Tender Summary Report dated 13.02.2026, which was communicated to the petitioner on 14.02.2026, and to direct the 2nd respondent to award the tender in his favour. It was represented before this Court that, after confirmation of the writ petitioner's



technical bid and he being the lowest bidder, his bid had been rejected without any reason. Therefore, this Court, taking note of the letter dated 13.02.2026 issued by the Divisional Engineer, National Highways, Salem wherein it was stated that the work experience certificate issued by the writ petitioner was genuine and had been verified on the basis of the records available in his office and without going into the merits of the case, had directed the 3rd respondent to consider the writ petitioner's financial bid.

4. However, what has transpired is that, by relying upon the order of this Court, the contract has been awarded to the writ petitioner. What has not been brought to the notice of this Court is the fact that the writ petitioner's bid had been rejected twice, whereas the review petitioner's bid had been accepted on both occasions, and the Tender Scrutiny Committee, by its Minutes dated 13.02.2024, had declared the review petitioner as L1 and recommended him to the competent authority. A communication to this effect was also sent by the Superintending Engineer, Highways Circle, to the Chief Engineer recommending award of the tender in favour of the review petitioner. These facts were not brought to the notice of this Court, as is evident from a reading of the order. That apart, the successful bidder had not been made a party to the proceedings. Had the review petitioner been impleaded, these facts would have been brought to the notice of this Court.



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5. In view of the above, this Court is satisfied that sufficient grounds have been made out to review the order passed in W.P.No.6338 of 2026. Accordingly, the review petition is allowed and W.P.No.6338 of 2026 is restored to file. The writ petition shall be posted before the learned Judge concerned as per the roster. In the meanwhile, the contract awarded pursuant to the order passed in the writ petition shall be kept in abeyance till the writ is taken up for hearing. Consequently, connected miscellaneous petitions are closed.

11-03-2026

SRN

To:

1. The Secretary,
State of Tamil Nadu
Highways Department,
Fort St. George, Chennai 600 009.
2. The Superintendent Engineer
Highways Department,
Construction Maintenance,
Steel Plant Road, Jahirammappalayam, Salem 636 302
3. The Tender Scrutiny Committee
Highways Department,
Steel Plant Road, Jahirammappalayam, Salem 636 302.



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P.T.ASHA J.

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