



WEB COPY

WP No. 8849 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 8849 of 2026

AND

WMP NO. 9529 OF 2026, WMP NO. 9530 OF 2026, WMP NO. 9543 OF 2026

1. A.P.K. Tamilarasan
S/o. Kuarasmay, No. 18/1,
M. Ammapalayam, Kundadam,
Muthanampatti, Rudravathi (Po),
Tiruppur District-638 702.

Petitioner(s)

Vs

1. The District collector / Chairperson,
Tiruppur District Mineral Foundation
Trust, Tiruppur District.

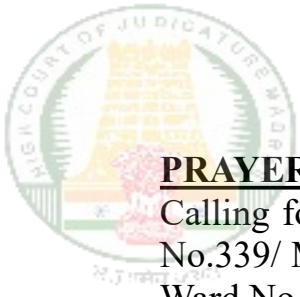
2. Assistant Director
Town Panchayats, Tiruppur District.

3. Assistant Executive Engineer
Directorate of Town Panchayats,
Tiruppur District.

4. the Chairperson
Rudravathi Town Panchayat, Kovai
Road, Kundadam, Tiruppur District-638
702

5. The Executive Officer
Rudravathi Town Panchayat, Kovai
Road, Kundadam, Tiruppur District-638
702

Respondent(s)

**PRAYER**

Calling for the records relating to the proceedings of the 1st respondent in Rc. No.339/ Mines/ 2016 dated 19.02.2026 altering the scheme from Ward No.13 to Ward No.3 and quash the same, consequently direct the respondents, 1, 2, 3,5 to implement the Miens and Minerals Scheme 2025-2026 by providing borewell, Submersible motor and pipeline facility in Ward No.13 Ammapalayam Adi Dravidar Colony, Rudravati Town Panchayat, Tiruppur District in Accordance with the Council Resolution dated 31.10.2025 and 11.02.2026

For Petitioner(s): Mr.K.V.Muthu Visakan

For Respondent(s): M/s.Meera Arumugam, AGP

ORDER

This writ petition has been filed, challenging the impugned proceedings dated 19.02.2026 passed by the first respondent, deciding to call for tenders for diversion of water through the pipeline facility from Ward No. 13 to Ward No.3 morefully described in the prayer to the writ petition.

2. The petitioner has challenged the impugned proceedings on the ground that arbitrarily and illegally, there is a proposal to divert water from Ward No. 13 to Ward No. 3. According to the petitioner, without any resolution passed by the Council, the first respondent has passed the impugned proceedings dated 19.02.2026. According to the petitioner, as per the provisions of the Urban Local Bodies Act, only with the aid of the resolution passed by the Council, any decision can be taken by the first respondent. According to the petitioner, since no resolution was passed by the Council, permitting to alter the scheme from Ward No. 13 to Ward No. 3, the impugned proceedings dated 19.02.2026 passed by the first respondent is arbitrary and illegal.



3. The petitioner also claims that he had given several representations to the first respondent, which includes the latest representation dated 28.02.2026 to the first respondent, requesting the first respondent not to divert water from Ward No. 13 to Ward No. 3. The petitioner claims that despite those representations, the first respondent has passed the impugned proceedings dated 19.02.2026.

4. The petitioner also claims that, in violation of the Tamil Nadu Transparency in Tenders Act, 1998 and the Rules, without providing sufficient opportunity to the tenderers to participate in the auction, the first respondent has decided to conduct the auction by granting only six days time, instead of the mandatory fifteen days time provided under Rule 20(1)(a) of the Tamil Nadu Transparency in Tenders Rules.

5. Ms. C. Meera Arumugam, learned Additional Government Pleader accepts notice on behalf of the respondents. On written instructions, she would submit that there is an urgent requirement for Ward No. 3, as there is a shortage of water there. Only under those circumstances, there became a necessity for the first respondent to pass the impugned proceedings, diverting water from Ward No. 13 to Ward No. 3. She would submit that only in public interest, water requires to be diverted from Ward No. 13 to Ward No.3. Only under those circumstances, she would submit that the impugned proceedings was passed, calling for tender in respect of ward No.3. She would also submit that there is



no violation committed by the first respondent in passing the impugned proceedings. She would submit that at this juncture, when the impugned proceedings have been issued in public interest, the question of stalling the tender process does not arise.

6. Admittedly, only in public interest, as seen from the written instructions received by the learned Additional Government Pleader appearing for the respondents from the fifth respondent, there became a necessity for the respondents to divert water from Ward No. 13 to Ward No. 3 due to the urgent necessity for the people in Ward No. 3.

7. While that be so, the question of stalling the impugned tender at this stage, without even counter having been filed before this Court, does not arise. Only in case of arbitrariness and patent illegality committed by the respondents, the question of interfering in a tender process by this Court will arise. The documents produced by the petitioner before this Court, at this stage, has also not been conclusively established that there is arbitrariness and illegality committed by the respondents.

8. Even, Rule 20(1)(a) of the Tamil Nadu Transparency in Tenders Rules also enables the respondents with prior permission from the competent authority, to reduce the period of time for the participants in the auction to submit the tenders. The aforesaid issue cannot be examined at the admission



stage of this writ petition.

9. At the last hour, when the petitioner has filed the writ petition and that the tender process is likely to take place today, the question of interfering with the tender process does not arise. After this Court had expressed this view to the learned counsel for the petitioner, he would submit on institutions that atleast the petitioner's representations given earlier, requesting the respondents not to shift the water facility from Ward No. 13 to Ward No. 3, may be directed to be considered by the respondents on merits and in accordance with law, after giving due consideration to the contentions raised by the petitioner in this writ petition, within a time frame to be fixed by this Court.

10. This Court is of the considered view that no prejudice will be caused to the respondents if such a direction is issued by this Court.

11. After recording the submissions made by the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents, this writ petition is disposed of without interfering with the tender process as per the impugned proceedings dated 19.02.2026. But, however, this Court directs the first respondent to consider the petitioner's representation dated 28.02.2026, requesting the respondents not to divert the water facility from Ward No. 13 to Ward No. 3, on merits and in accordance with law, after giving due consideration to the contentions raised by the



petitioner in this writ petition, within a period of four weeks from the date of receipt of a copy of this order. The first respondent shall pass final orders on the petitioner's representations uninfluenced by any of the observations made by this Court in this order.

12. Accordingly, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

05-03-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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Tiruppur District Mineral Foundation
Trust, Tiruppur District.

2.Assistant Director
Town Panchayats, Tiruppur District.

3.Asistant Executive Engineer
Directorate of Town Panchayats,
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ABDUL QUDDHOSE J.

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