



WEB COPY

WP No. 39935 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.Nos.13251, 18963 and 39935 of 2025

and WMP.Nos.14823, 14824, 21245, 21246, and 44865 of 2025

K. Dhineshkumar

..Petitioner(s)

Vs

1. The State Of Tamil Nadu
Rep. By Its Secretary, Department Of
Transport, Fort St. George, Chennai-600 009.
2. The Managing Director
State Express Transport Corporation Of
Tamilnadu, Thiruvalluvar House, Pallavan
Salai, Chennai-600 002.
3. The Branch Manager
State Express Transport Corporation Of
Tamilnadu, Coimbatore-641 030

..Respondent(s) 1 to 3 in all writ petitions

4. P.Rukmani
P.Rukmani Enterprises, No. 95 Housing Unit,
Near Surya Gas, Koundampalayam
Coimbatore

..4th Respondent(s) in
W.P.No.39935/2025

Prayer in W.P.No.13251/2025: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Certiorarified Mandamus Calling for the records pertaining to the Tender Notification issued by the 2nd respondent bearing number Se.Ma.Tho.E/402/Tender Bulletin / 2025 dated 31.01.2025 with respect to item numbers iv v vi and vii bearing Tender IDS



2025-SETC-521823-1 2025-SETC-521845-1 2025-SETC-521863-1 2025-SETC-521879-1 respectively and quash the same and direct the respondents to issue a fresh tender notification in respect of the said items with full particulars description and identification of the tender items and pass.

Prayer in W.P.No.18963/2025: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Certiorarified Mandamus calling for records pertaining to the on line e-Tender Notification issued by the 2nd respondent on 08.05.2025 bearing numbers (i) 041245/ G1/ A.Vi.Po.Ka/ 2024 (ii)041246/ G1/ A.Vi.Po.Ka/ 2024 (iii)2880/ G1/ A.Vi.Po.Ka/ 2025 and (iv) 2881/ G1/ A.Vi.Po.Ka/ 2025 and quash the same and direct the respondents to identify the space in respect of the said items with full particulars description and identification of the tender items.

Prayer in W.P.No.39935/2025: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Certiorarified Mandamus calling for records comprised in the impugned proceedings of the 2nd respondent in Letter bearing number 2880/ G1/ A.Vi.Po.Ka/ 2025 dated 13.10.2025 and quash the same and consequently direct the respondents 1 to 3 to call for a fresh tender in respect of shop measuring 60 sq.ft situated at Coimbatore Bus stand which is the subject matter of the impugned proceedings in letter bearing number 2880/ G1/ A.Vi.Po.Ka/ 2025 dated 13.10.2025 in accordance with the provisions of the Tamil Nadu Transparency in Tenders Act, 1998 (act 43 of 1998) and the rules contained therein and pass



WEB COPY



For Petitioner(s) in all
W.Ps:

Mr.Umashankar for Mr.S.I.Sharukumar

For R1 to R3 in all
W.Ps:

Mr.R.Murthi, Government Advocate for R1
Mr.T.Chandrasekaran for R2 and R3 in all
petitions

Order

These writ petitions have been filed against the tender notifications and the proceedings of the 2nd respondent, wherein the said official had secretly issued a license to the 4th respondent in respect of a shop in vacant site no.1 measuring 60 sq.ft. and seeks further direction to the respondents 1 to 3 to call for a fresh tender.

2. Case of the petitioner is that he is engaged in the business of Bakery and Confectioneries for several years and running bakery shop in Coimbatore City. It is the contention of the petitioner that the 2nd respondent vide Tender notification, dated 31.01.2025, called for applications from tenderers for licensing the shops situated in the building located in Coimbatore Bus Stand, belonging to the State Express Transport Corporation of Tamil Nadu for commercial usage. The validity of the said tender notification was challenged in W.P.Nos.13251 and 18963 of 2025. The petitioner was the highest bidder in the said tender. Since the description of property in the said tender was vague, the petitioner had sought for conducting fresh tender and since there was no



response, he filed W.P.No.13251 of 2023, wherein interim order was granted by stating that any allotment or occupation of shops by the parties will be subject to the ultimate result of the writ petition.

3. While the matter stood thus, the 2nd respondent had once again issued another tender notification dated 08.05.2025 and the said tender notification is also vague and the same was challenged in W.P.No.18963 of 2025 on the ground that the respondents 1 to 3 will have to identify the said property with full particulars and description. However, the 2nd respondent in proceedings dated 26.06.2025 proceeded to allot the shops to the successful tenderer. Since the conditions in the tender notification were not satisfied by the said successful tenderer, the said tender dated 08.05.2025 stood lapsed and thereby, the respondents 2 and 3 are bound to issue fresh tender notifications. Hence, the petitioner had sent a representation seeking the respondents to refrain from allotting any shops which are the subject matter of tender notifications dated 31.01.2025 and 08.05.2025. Despite receipt of the aforesaid representation, the 2nd respondent had secretly issued a license to the 4th respondent, vide proceedings dated 13.10.2025, in respect of a shop in vacant site no.1 measuring 60 sq.ft. Challenging the same, the present writ petition is filed.

4. Learned counsel for the petitioner submitted that though the procurement is made only by open tender in the public auction, the 2nd



respondent, in collusion with the 4th respondent, had secretly issued license to the 4th respondent, inspite of pendency of writ petitions challenging the tender notification, which is wholly impermissible, arbitrary and violative of the established norms governing public procurement and therefore, the proceedings of the 2nd respondent, granting license to the 4th respondent, is liable to be set aside.

5. Learned standing counsel for the respondent Corporation submitted that the tender was granted only as an interim measure, that too following the due procedures contemplated under the Tamil Nadu Transparency in Tender Act. However, in view of the interim order granted by this Court, the property was not allotted to anyone and hence this Court may permit the petitioner to participate in the public auction in respect of the disputed property as and when a fresh tender is floated.

6. Heard the learned counsel appearing for the parties and perused the materials available on record.

7. It is borne out by record that no interim order has been granted, but a direction has been issued that the confirmation of the tender would be subject to the result of the writ petition. However, it is the specific case of the respondent that only as an interim measure the allotment has been made to the 4th



respondent and it is submitted that the respondents are ready to float a fresh tender by scrapping all the aforesaid tenders and that the petitioner may participate in the said tender process.

8. In view of the aforesaid stand taken by the respondents that all the tender process, which had taken place would stand scrapped and a fresh tender would be issued for allotting the shops, there would be no necessity for this Court to enter into the merits of this case; suffice if a direction is issued to the respondents to cancel all the earlier tenders, which are the subject matter of these petitions and float a fresh tender in which the petitioner as well as the private respondents would be at liberty to participate.

9. In such view of the matter, these writ petitions stand disposed of directing the respondents 1 to 3 to tender the property owned by the Corporation strictly in accordance with the applicable Rules and by way of public auction. The respondents shall issue a public notice within a period of two weeks from the date of receipt of a copy of this order. The petitioner and all the eligible persons shall be entitled to participate in the said public auction. No costs. Consequently connected miscellaneous petitions are closed.

12-03-2026

Index: Yes/No
Speaking/Non-speaking order
SK



To

1. The Secretary, Department Of Transport, Fort St. George, Chennai-600 009.
2. The Managing Director
State Express Transport Corporation Of
Tamilnadu, Thiruvalluvar House, Pallavan
Salai, Chennai-600 002.
3. The Branch Manager
State Express Transport Corporation Of
Tamilnadu, Coimbatore-641 030
4. P.Rukmani
P.Rukmani Enterprises, No. 95 Housing Unit,
Near Surya Gas, Koundampalayam
Coimbatore.



WEB COPY

WP No. 39935 of 2



M.DHANDAPANI J.

sk

W.P.Nos.13251, 18963 and 39935 of 2025

12-03-2026