



WEB COPY



WA No.3260 to 3262 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G. ARUL MURUGAN

WA No.3260 to 3262 of 2025

M/s.Phoenix & Co.,
rep. By its Managing Partner,
M.Raja

: Appellant

versus

1.The State of Tamil Nadu,
rep. By the Superintending Engineer,
Highways Department,
NABARD and Rural Road Circle,
Salem – 7, Salem District

2.The Divisional Engineer,
Highways Department,
NABARD and Rural Roads,
Salem 7, Salem District

: Respondents

Prayer: Appeals filed against the Judgment passed by this Court in WP Nos.39213, 39215 and 39216 of 2025, dated 15.10.2025.

For Appellant : Mr.K.Balu

For Respondents : Mr.K.Karthik Jagannath,
Government Advocate



WA No.3260 to 3262 of 2025

WEB COPY

COMMON JUDGMENT

(Judgment of the Court was delivered by the Hon'ble Chief Justice)

Heard learned counsel for the parties.

2. By these writ appeals, the appellant seeks to assail the correctness and validity of the order dated 15.10.2025 passed by the learned Single Judge, whereby the writ petitions in the matter of challenge to the tender proceedings have been dismissed.

3. Learned counsel for the appellant would argue that the learned Single Judge has recorded an incorrect finding, contrary to records, that there is no material evidence to show that the application dated 03.10.2025, requesting issuance of relevant certificates, was not made to the respondents. He would further submit that copy of the said application was placed on record and two certificates were issued in appellant's favour by the Divisional Engineer (H) NABARD and Rural Roads, Coimbatore, on 11.10.2025 and 13.10.2025. Therefore, it is clear that the appellant was very much interested in participating in tender and getting the work awarded and therefore, there is no reason



WA No.3260 to 3262 of 2025

why the appellant would not submit application. According to the learned counsel, the respondents cannot take any benefit of there being absence of proof of acknowledgment of receipt.

4. Learned counsel for the respondents supported the order passed by the learned Single Judge.

5. In our view, the writ appeals are liable to be dismissed. Learned Single Judge has recorded a finding that there is no material to show that any request/application was made by the appellant on 03.10.2025 for issuance of certificate and the said finding cannot be said to be perverse. There is no acknowledgment of receipt of application dated 03.10.2025, which was made to the Divisional Engineer at Salem. Two certificates viz., work site inspection certificate and working condition of plant and machinery certificate, issued on 11.10.2025 and 13.10.2025, respectively, relate to work at Coimbatore and not Salem.

6. Therefore, there is no ground to interfere with the order passed by the learned Single Judge. The writ appeals are dismissed.



WA No.3260 to 3262 of 2025

There will be no order as to costs. Consequently, CMP Nos.26782, 26790 and 26791 of 2025 are closed.

7. Interim order granted earlier stands vacated.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G. ARUL MURUGAN, J.)
22.01.2026

Index : Yes/No
Neutral Citation : Yes/No
tar



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