



W.P.(MD)No.5848 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.03.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.5848 of 2026

and

W.M.P.(MD)No.4876 of 2026

M/s.Bhavadharani Builders,
represented by its Managing Partner,
Palanikumar,
Madurai – 625 002.

... Petitioner

vs.

1.The Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment Board,
No.119, Uthamar Gandhi Salai,
Nungampakkam High Road,
Chennai - 600 034.

2.The Joint Commissioner,
HR and CE Department Sivagangai,
Sivagangai District.

3.The Executive Engineer,
Office of Joint Commissioner
HR and CE Department Sivagangai,
Sivagangai District.

... Respondents



W.P.(MD)No.5848 of 2026

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to accept the technical and price bid of the Petitioner by allowing the Petitioner to participate in the tender process in Tender ID NO. 2026_HRCE_658805_1 dated 24.02.2026 for the construction of office building for Joint commissioner, Assistant commissioner and Regional audit office at Sivagangai to be conducted on 04.03.2026 by exempted the payment of EMD amount to the petitioner.

For Petitioner :Mr.R.Maheswaran
For Respondents :Mr.J.K.Jayaseelan
Government Advocate

ORDER

The petitioner, who is a MSME, is before this Court seeking exemption from payment of earnest money deposit amount in the tender floated by the second respondent in Tender ID NO. 2026_HRCE_658805_1 dated 24.02.2026, in view of G.O.Ms.No.199, dated 27.06.2022, Finance (Salaries) Department, which provides for exemption of earnest money deposit by MSME.



W.P.(MD)No.5848 of 2026

2.Mr.J.K.Jayaseelan, learned Government Advocate, who accepts notice on behalf of the respondents, on receiving instructions, submitted that inadvertently, there is no clause in the tender document providing exemption to MSME, however, the exemption will be notified by issuing corrigendum and the petitioner will be permitted to participate in the tender process without insisting for earnest money deposit. The said statement is taken on record.

3.Recording the stated position of the second respondent, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

03.03.2026
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Note: Issue order copy by **03.03.2026.**

cmr



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HEMANT CHANDANGOUDAR, J.

cmr

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