



W.P(MD)No.7880 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.7880 of 2026

and

W.M.P(MD)No.6475 of 2026

M/s Vasanth Electricals,
rep. by its Sole Proprietor,
M.Manikandan,
31, A.Anna Nagar,
Subramaniyapuram,
Trichy - 620 020.

.. Petitioner

Vs

1.The Superintending Engineer,
Public Works Department,
Buildings (Construction & Maintenance) Circle,
Thanjavur.

2.Sivam Electricals,
Rep. by its Sole Proprietor,
S.Bala,
No.4, Abdul Wahab Nagar,
Reddipalayam Road,
Thanjavur District.

3.Desigan

..Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the reason for rejection of petitioner's bid by the 1st respondent on 17.03.2026 in Ka.No. 34M/Vapi/E va Aa1/Ko.11/2026 relating to work covered in tender Notice No. 87/2025-2026 and quash the reason for rejection of petitioner's technical bid as illegal and arbitrary and in consequence thereof quash the declaration of financial bid thereby declaring the 2nd respondent as successful bidder as illegal and direct the 1st respondent to consider the bid submitted by the petitioner as eligible and further process the same for further evaluation both the technical and financial.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.M.Ajmalkhan
Addl. Advocate General assisted by
Mr.S.S.Madhavan
Addl. Govt. Pleader for R1

ORDER

The petitioner challenges the rejection of its bid by the first respondent vide proceedings dated 17.03.2026, in respect of the work covered under Tender Notice No. 87/2025–2026.

2.The first respondent invited bids for providing internal and external electrification, including lift and generator arrangements, for



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the construction of a 100-student MBC College Girls' Hostel building at Orathanadu, Thanjavur District. The tender document prescribed the eligibility criteria, including that the bidder must be a Class IV contractor registered with the Public Works Department (for works above Rs. 50 lakhs up to Rs. 2 crores and above), possess a valid Electricity Board licence, and either be an authorised manufacturer or hold authorisation from a manufacturer, or have five years' experience in similar specialised works.

3.Pursuant to the tender notification, the petitioner submitted its bid. However, the technical bid was rejected on the ground that the petitioner had not uploaded a five-year experience certificate specifically relating to lift and generator facilities.

4.The learned counsel for the petitioner submitted that the petitioner had uploaded all relevant documents evidencing five years' experience in similar works, and that the rejection of the technical bid without considering such documents is arbitrary and discriminatory. It was further contended that the writ petition is maintainable, as the appellate remedy under the Tamil Nadu Transparency in Tenders Act applies only to the acceptance or rejection of financial bids.



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5.Per contra, the learned Additional Advocate General appearing for the first respondent submitted that the petitioner had failed to upload the mandatory five-year experience certificate relating to lift and generator facilities, which is an essential requirement under the tender conditions. It was further submitted that the scope of judicial interference in tender matters is limited, and that an efficacious alternative remedy is available under the provisions of the Act. Reliance was placed on the decision of the Division Bench of this Court in W.A. (MD) No. 2727 of 2025, dated 24.09.2025.

6.Heard the learned counsel on either side and perused the materials available on record.

7.The petitioner contends that the tender conditions did not mandate uploading of an experience certificate. However, a perusal of the instructions appended to the tender document clearly shows that bidders are required to upload a five-year experience certificate. Therefore, the said requirement is mandatory.

8.The petitioner has produced Form 'F' issued by the Inspector of Lifts, Government of Tamil Nadu, to establish experience in lift-



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related works. However, the said document was not uploaded along with the bid. The petitioner had only uploaded documents relating to general electrification works, which do not satisfy the specific requirement of experience in lift and generator facilities. Hence, the rejection of the petitioner's technical bid cannot be faulted.

9.The contention of the petitioner that respondents 2 and 3 are related and that the tender process is vitiated by fraud is also not sustainable. The petitioner, having been declared technically disqualified, has no locus to challenge the acceptance of the financial bid of another bidder.

10.Further, the Division Bench of this Court, in W.A. (MD) No. 2727 of 2025, has held that an aggrieved tenderer, even if excluded at the technical stage, has an effective alternative remedy by way of appeal under the Tamil Nadu Transparency in Tenders Act, after completion of the tender process.

11.In view of the above, this Court is of the opinion that the present writ petition is not maintainable.



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12. Accordingly, the writ petition is disposed of, reserving liberty to the petitioner to challenge the rejection of the technical bid as well as the acceptance of the financial bid of the second respondent, in the manner known to law under Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

07.04.2026

NCC : Yes/No

Index : Yes/No

Internet:Yes

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To

1. The Superintending Engineer,
Public Works Department,
Buildings (Construction & Maintenance) Circle,
Thanjavur.



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HEMANT CHANDANGOUDAR, J.

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