



WA(MD)No.757 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 02.06.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

WA(MD)No.757 of 2026
and
CMP(MD)No.6275 of 2026

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

... Appellant

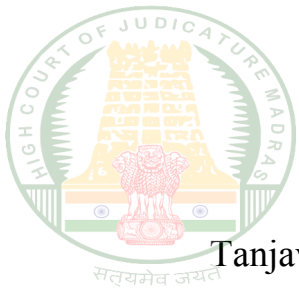
Vs.

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

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

3. Desigan,
No.23, Muthu Meenakshi Nagar,
Reddipalayam Road,

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Tanjavur - 613009.

... Respondents

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PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against the order made in W.P.(MD)No.7880 of 2026 dated 07.04.2026.

For Appellant : Mr.P.Ganapathi Subramanian
For R1 : Mr.B.Saravanan, Senior Counsel, for
Mr.M.P.Senthil, Counsel for Government of Tamilnadu

JUDGMENT

(Judgment of the Court was made by **N.SATHISH KUMAR, J.)**

This Writ Appeal is directed against the order made in W.P.
(MD)No.7880 of 2026 dated 07.04.2025.

2. The appellant / writ petitioner challenged the rejection of its bid by the 1st respondent vide proceedings dated 17.03.2026, in respect of the work covered under Tender Notice No. 87/2025–2026. It is the case of the appellant that the 1st respondent invited bids for providing internal and external electrification, including lift and generator arrangements for the construction of a 100-student MBC College Girls' Hostel building at Orathanadu, Thanjavur District. The appellant submitted its technical



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bid which was rejected on the ground that the appellant had not uploaded a five-year experience certificate specifically relating to lift and generator facilities. The rejection was challenged mainly on the ground that the rejection is arbitrary and 5 years experience certificate was also annexed with the tender documents. However, the learned Single Judge considering the fact that the said certificate has not been annexed, dismissed the writ petition.

3. The main contention of the learned counsel for the appellant is that the experience certificate has been annexed with the tender document which has not been considered. According to the learned counsel, the appellant have got experience in the same field and despite the certificate issued in this regard, the technical bid has been rejected. The reason has been assigned only in the latter order. Hence, the learned counsel submitted that the rejection is arbitrary.

4. We have heard the learned counsel appearing on either side and perused the entire materials available on record.



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5. The so-called experience certificate relied upon by the petitioner relates to the certificate issued by the authorities to Chief Civil Surgeon Medical Officer and the Dean concerned of the Hospital where the electrical work was carried out. The tender document condition clearly shows that the electrical contractor 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. The said certificate ought to have been annexed as stipulated in the tender document. Merely on the basis of some experience certificate issued in Form 'F' by the Inspector of Lifts, Government of Tamil Nadu, the appellant cannot take advantage of the same. When the appellant has not annexed the experience certificate as stipulated in the tender documents, as a matter of right, they cannot challenge the process. That apart, the appellant has effective alternative remedy by way of appeal under Section 11 of the Tamil Nadu Transparency in Tenders Act, 1998. Without availing the effective alternative remedy, as a matter of right, the



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writ petition cannot be filed and it is not maintainable. Thus, we do not find any infirmity in the order of the learned Single Judge.

6. Accordingly, the Writ Appeal stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
02.06.2026

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To

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



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AND
M.JOTHIRAMAN, J.

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