BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.15455 & 15456 of 2026

and

W.M.P(MD)Nos.11577, 11579 to 11583, 11585 to 11587, 11595, 11596, and 11597

N.Nattathy

.. Petitioner in all petitions

Vs

1.Tender Inviting Authority/
The Managing Director,
Tamil Nadu Warehousing Corporation Ltd.,
No.82, Anna Salai, Guindy,
Chennai - 600 032.

2.J.Vijayarani IAS.,
The Manaing Director,
Tamil Nadu Warehousing Corporation Ltd.,
No.82, Anna Salai, Guindy,
Chennai - 600 032.

..Respondents in all petitions

Common Prayer: Writ Petitions 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 proceedings of the 1st respondent in Rc. No.3900/2024/G1 dated 02.06.2026 and quash the same as illegal and consequently direct the 1st respondent to evaluate the price bid of the petitioner for Handling and Transport of Tirunelveli Warehouse, Muthur Warehouse, Salem Junction Warehouse and Chinnaselam Warehouse respectively.

In all petitions:

For Petitioner : Mr.G.Prabhu Rajadurai
Senior Counsel for
Mr.A.K.Baskarapandian

For Respondents : Mr.B.Saravanan
Addl. Advocate General assisted by
Mr.C.Gangaiamaran

COMMON ORDER

In these writ petitions, the petitioner challenges the proceedings dated 02.06.2026 issued by the first respondent, whereby the technical bid submitted by the petitioner was rejected on the following grounds:

1.Experience certificate was not submitted for the period from 01.12.2022 to 08.01.2023.

2.Proper Income Tax Return document for the Financial Year 2024–2025 was not uploaded.

3.The bidder furnished details of 15 own lorries to qualify for participation in four 'A' Grade warehouses. On verification, it was found that three of those lorries had permits restricted to a 30 km radius within Namakkal District and were therefore not roadworthy for transportation of stocks from Chinnasalem, Muthur, Tirunelveli and Salem Junction warehouses.

> 4.The bidder had paid only EPF administrative charges for December 2022 and January 2023 and had not made EPF contributions corresponding to the number of employees. Hence, the bidder was considered technically not qualified.

2.The first respondent issued a tender notification dated 19.02.2026 inviting bids for handling and transportation of food grains and other notified commodities, together with allied services, at the warehouses specified in the tender document. Prior to filing these writ petitions, the petitioner had filed W.P.(MD) No.6749 of 2026 challenging the tender notification on the ground that it did not provide the 5% reservation mandated for Scheduled Caste and Scheduled Tribe communities under Section 10(2) of the Tamil Nadu Transparency in Tenders Act, 1998, read with Rule 30-C of the Tamil Nadu Transparency in Tenders Rules, 2000.

3.By order dated 07.04.2026, this Court declined to interfere with the tender notification in view of the larger public interest involved. However, to avoid hardship to the petitioner, this Court directed that if the petitioner was not the lowest bidder, she should be given an opportunity to match the rate quoted by the lowest bidder, and upon such matching, the contract should be awarded to her in accordance with law. This direction was issued because the contract was divisible and Section 10 of the Act, read with Rule 30-C of the Rules, permits allocation of up to 25% of the total requirement to enterprises belonging to Scheduled Caste and Scheduled Tribe communities.

4.Pursuant to the said order, the petitioner's technical bid was opened and scrutinized. On such scrutiny, the petitioner was found to be technically not qualified and, consequently, the technical bid was rejected through the impugned proceedings.

5.Mr. G. Prabhu Rajadurai, learned Senior Counsel appearing for the petitioner, submitted that the petitioner had produced experience certificates in the form of Income Tax Returns for the relevant financial years, which clearly established that the petitioner possessed more than three years of experience in carrying out the works specified in the tender document. He contended that the finding that the petitioner lacked the requisite three years' experience under Clause 5 of the eligibility criteria was unsustainable.

6.Learned Senior Counsel further submitted that even assuming the petitioner had not uploaded the Income Tax Return for the Financial Year 2024–2025, an opportunity ought to have been granted under Clause 8 of the tender document to upload the same. According to him, rejection of the technical bid without affording such an opportunity was arbitrary, unreasonable and discriminatory.

7.Per contra, the learned Additional Advocate General, appearing for the respondents, produced the bid documents and the relevant records. He submitted that the petitioner had uploaded Income Tax Returns for the Financial Years 2021–2022, 2022–2023 and 2023–2024, but had failed to upload the Income Tax Return for the Financial Year 2024–2025. Since an essential document required under the tender conditions had not been furnished, the rejection of the technical bid could not be termed arbitrary or discriminatory.

8.The learned Additional Advocate General further submitted that Clause 8 of the tender document could be invoked only where a bidder had failed to upload a required document and the omission was capable of being rectified. In the present case, the petitioner had uploaded documents relating to experience, but had failed to furnish the specific Income Tax Return required under the tender conditions. Therefore, Clause 8 had no application.

9.This Court carefully considered the submissions made on either side.

10.Insofar as the first ground of rejection is concerned, namely the alleged non-submission of the experience certificate for the period from 01.12.2022 to 31.08.2023, this Court finds that the said ground is unsustainable. The records disclose that the petitioner had uploaded the Income Tax Return for the Financial Year 2022–2023. Therefore, there was no justification for concluding that the petitioner had failed to produce the requisite certificate for the said period. It is also relevant to note that the earlier contract awarded to the petitioner was seasonal in nature and not a continuous twelve-month contract.

11.As regards the second ground, it is evident that while the petitioner uploaded Income Tax Returns for earlier financial years, she failed to upload the Income Tax Return for the Financial Year 2024–2025, which was specifically required under the tender conditions. Therefore, rejection of the technical bid on this ground cannot be said to be arbitrary or illegal.

12.The third ground relates to the permits of three lorries. The records indicate that statewide permits had in fact been granted for the said vehicles. Though the registration certificates originally reflected restricted permits, they were subsequently corrected to show statewide permits. Accordingly, this ground of rejection is also unsustainable.

13.The fourth ground, namely the alleged non-payment of EPF contributions for December 2022 and January 2023, is likewise unsustainable. The materials on record show that the earlier contract awarded to the petitioner was seasonal in nature and that no workers were engaged during the relevant period. However, notwithstanding the above findings, the petitioner failed to comply with the mandatory requirement of uploading the Income Tax Return for the Financial Year 2024–2025. Since compliance with this requirement was an essential eligibility condition under the tender document, the rejection of the technical bid cannot be faulted.

14.This Court is also unable to accept the petitioner's reliance on Clause 8 of the tender document. Clause 8 is intended to apply only where an omission to upload a document is capable of being rectified. In the present case, the petitioner uploaded Income Tax Returns for other years but failed to upload the specific Income Tax Return required for the Financial Year 2024–2025. Therefore, Clause

8 cannot be invoked to seek a further opportunity after closure of the bidding process.

15.The learned Additional Advocate General, on instructions, submitted that the standard rate fixed for the procurement was Rs. 57.80 and that the lowest bidder had quoted Rs.126. He further submitted that the Tender Accepting Authority would ensure that a reasonable rate is finalized after negotiations with the lowest bidder in accordance with the applicable tender conditions. It was also brought to the notice of this Court that the petitioner had quoted a rate of Rs. 62.

16.In view of the above findings, this Court finds no infirmity in the impugned proceedings warranting interference under Article 226 of the Constitution of India. Accordingly, the writ petitions stand disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

17.06.2026

NCC : Yes/No
Index : Yes/No
Internet:Yes
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HEMANT CHANDANGOUDAR, J.

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