



W.P(MD)No.33098 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.33098 of 2025

S.D.Viswasam

.. Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation (TNSTC),
Tirunelveli Region,
Vannarpettai,
Tirunelveli & District.

2.The General Manager,
Tamil Nadu State Transport Corporation (TNSTC),
Tirunelveli Region,
Tirunelveli & District.

3.The Assistant Manager (Store)
Tamil Nadu State Transport Corporation (TNSTC),
Tirunelveli Region,
Tirunelveli & District.

..Respondents

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 records pertaining to the impugned order of Letter No. 16502/CS/TNSTC/TNV/2024 dated 31.10.2025 passed by the first respondent, quash the same and consequently, direct the respondents to permit the petitioner to participate in the upcoming E.Tenders to be held in the respondents' Tamil Nadu State Transport Corporation.



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For Petitioner : Mr.R.Murugesan

For Respondents : Mr.K.Ramaiah

ORDER

The petitioner challenges the order dated 31.10.2025 passed by the first respondent, whereby the appeal preferred by him came to be rejected, the Earnest Money Deposit (EMD) furnished by him was ordered to be forfeited, and he was blacklisted from participating in future tenders floated by the respondent Corporation.

2.The petitioner participated in the e-auction conducted on 29.01.2025 and 30.01.2025 for disposal of old and obsolete motor vehicle parts belonging to the respondent Corporation. According to the petitioner, while submitting his bid electronically, he inadvertently entered the bid amount as Rs.2,71,000/- instead of Rs.27,000/- on account of a typographical error. Upon the contract being awarded in his favour on 18.02.2025, the petitioner submitted a representation dated 10.03.2025 explaining the mistake and requesting the authorities to take an appropriate view of the matter. The said representation, however, came to be rejected by the third respondent by communication dated 25.04.2025.



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3. Aggrieved by the said communication, the petitioner approached this Court in W.P.(MD) No.20466 of 2025. By order dated 28.07.2025, this Court relegated the petitioner to avail the statutory appellate remedy. Pursuant thereto, the petitioner preferred an appeal before the first respondent. The first respondent, upon consideration of the materials placed on record, rejected the appeal by the impugned order dated 31.10.2025.

4. The contention of the petitioner is that, owing to his advanced age and poor eyesight, he inadvertently entered the bid amount as Rs. 2,71,000/- instead of Rs.27,000/-. The respondents, on the other hand, rejected the explanation offered by the petitioner and took the stand that he had failed to honour the contractual obligations arising out of the auction proceedings. The appellate authority, having considered the matter, affirmed the decision of the authorities and upheld the forfeiture of the EMD amount.

5. Insofar as the forfeiture of the EMD amount is concerned, this Court finds no ground warranting interference in exercise of its jurisdiction under Article 226 of the Constitution of India, particularly in view of the findings recorded by the appellate authority. However, a different consideration arises in respect of the order blacklisting the



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petitioner from participating in future tenders. Blacklisting entails serious civil consequences and has the effect of depriving a person of the opportunity to participate in future contractual dealings with the State and its instrumentalities. Such an order cannot be passed without adhering to the principles of natural justice.

6.In the case on hand, there is nothing on record to indicate that any notice proposing blacklisting was issued to the petitioner or that he was afforded an opportunity of hearing before the said consequence was imposed. Further, the impugned order does not disclose any independent reasons justifying the decision to blacklist the petitioner. In the absence of compliance with the principles of natural justice, the order of blacklisting cannot be sustained.

7.Accordingly, the impugned order dated 31.10.2025 is set aside insofar as it relates to blacklisting the petitioner from participating in future tenders floated by the respondent Corporation. Consequently, the petitioner shall be entitled to participate in future tender processes conducted by the respondent Corporation, subject to his fulfilling the eligibility criteria and other conditions prescribed under the relevant tender notifications and in accordance with law.



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8. With the above observations and directions, the writ petition

stands disposed of. No costs.

11.06.2026

NCC : Yes/No

Index : Yes/No

Internet: Yes

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HEMANT CHANDANGOUDAR, J.

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