



W.P.(MD)No.33193 of 2025

WEB CO **BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT**

DATED: 29.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.33193 of 2025

and

W.M.P.(MD)Nos.26205 & 26206 of 2025

M/s.S.S. & Co.,

Rep. by its Managing Partner,

Mr.B.Subramanian,

No.28/6, Chithambaranathapuram 1st Street,

Devakottai,

Sivagangai District.

... Petitioner

Vs.

1.The Secretary to Government,

Department of Highways and Minor Port,

St. George Fort,

Chennai – 9.

2.The Superintending Engineer (H),

Highways Department,

Construction and Maintenance Division,

Tiruchirappalli – 20.



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3.The Superintending Engineer (H),
NABARD & Rural Roads Division,
Tirunelveli – 2.

4.J.Ilamvaluthi

5.M/s.VRV Construction,
Rep. by its Managing Partner,
1-A20, East Seerangapalayam Road,
Salem – 7.

6.M.Murugesan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned show cause notice dated 14.11.2025 in letter No.2107/2025/Va1 issued by the third respondent and quash the same as illegal, arbitrary and without jurisdiction and consequently direct the respondents 2 & 3 to drop all proceedings initiated against the petition pursuant to the complaints made by respondents 5 and 6.



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For Petitioner : Mr.H.Lakshmi Shankar
for A.Mohan
For Respondents 1 to 3 : Mr.M.Veerakathiravan,
Assisted by Mr.C.Satheesh,
Additional Government Pleader
For Respondent No.4 : Mr.S.Ramanathan
For Respondent No.5 : No appearance
For Respondent No.6 : Mr.M.Rajarajan

ORDER

Challenge has been made against the impugned show cause notice dated 14.11.2025 in letter No.2107/2025/Va1 issued by the third respondent.

2.Learned Counsel for the petitioner would submit that the petitioner's firm was registered as a Class I Contractor on 18.05.2022 before the Superintending Engineer, NABARD & Rural Roads, Tirunelveli. On 19.08.2025, the Superintending Engineer invited tenders for road-laying works in Trichy and Pudukkottai and the petitioner participated in the said tender. In the said process, due to the complaint made by the private respondents, initially, the



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Trichy office ie., Superintending Engineer, Trichy issued a show cause notice and by copying the same, the Tirunelveli Office issued a similar show cause notice, for which the petitioner has also replied. However, once again, the third respondent has issued the impugned show cause notice dated 14.11.2025. Hence, the present Writ Petition.

3. Learned Additional Advocate General, appearing for the respondents 1 to 3 would submit that in the present case, the jurisdictional officer is the Superintending Engineer, Tirunelveli, and they have issued notice to clarify certain aspects, since they found some discrepancies in the documents filed by the petitioner and in the event if the discrepancies are clarified, the issues will be sorted out. The proceedings dated 04.11.2025 is concerned, there they asked for certain clarifications and the said clarifications were onset in the form of reply. Since some other clarifications are required, they have issued the present show cause notice. Once a reply to the said show cause notice dated 14.11.2025 is filed, the third respondent will consider the same and if it is acceptable, final orders will be passed.



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4. Heard the learned Counsel on either side and perused the materials available on record.

5. Admittedly, the petitioner herein is a registered contractor and he has submitted all the documents pertaining to M/s.S.S. & Co., to the third respondent and certainly, Tirunelveli office will be the jurisdictional authority to issue orders. Only under those circumstances, the third respondent has issued the impugned notice. A perusal of the impugned order shows that it is only clarificatory in nature. It is on the part of the petitioner to clarify the same. Once it is clarified, certainly appropriate orders will be passed. As far as the notice issued by the Tirunelveli office copying the notice issued by the Trichy office is concerned, the said notice was issued on 04.11.2025. A perusal of the same shows that there were some alleged discrepancies highlighted in the said notice and the same have been addressed by the petitioner by way of reply. Apart from those aspects, some other doubts having come to the knowledge of the third respondent which lead to the issuance of the impugned notice dated 14.11.2025. Under these circumstances, I do not find any difficulty for the petitioner to reply to the impugned show cause notice.



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6.Further, a perusal of those discrepancies highlighted in the impugned show cause notice dated 04.11.2025 is concerned, they are specific in nature. As far as the jurisdiction issue is concerned, once the petitioner has presented the documents before the Tirunelveli office, certainly, the Tirunelveli office will have the jurisdiction and accordingly, the third respondent has issued the impugned notice. As far the submission made by the learned Counsel for the petitioner that the third respondent has gone to the extent of interpreting the Indian Partnership Act and intend to conduct enquiry as that of the Civil Court is concerned, this Court, upon perusal of the show cause notice which appears to be clarificatory in nature, is of the opinion that the third respondent is entitled to ask for such clarifications, which are not outside the scope of the third respondent. Those are all minimum informations which the petitioner is supposed to furnish. Therefore, this Court is not inclined to entertain this Writ Petition. Further more, if at all there is still a jurisdiction issue, the petitioner is at liberty to raise the said issue in the manner known to law.



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7. With the above observations, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

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To

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KRISHNAN RAMASAMY, J.

MR

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