



W.P.(MD).Nos.235 of 2026 and 29847 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)Nos.235 of 2026 and 29847 of 2025

and

W.M.P(MD) Nos.248, 249 of 2026 and 23093 to 23096 of 2025

W.P(MD) No.235 of 2026

Velan Builders (P) Limited,
No.3, Periyar Thottam,
Ponneripuram Main Road,
Ponmalaipatti, Trichirappalli,
Represented by its Managing Director,
V.Kannaiyan.

... Petitioner

Vs.

1. The Superintending Engineer (Highways)
Construction and Maintenance Circle,
Tiruchirappalli.

2. The Divisional Engineer (Highways)
Construction and Maintenance Division,
Pudukkottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus thereby call for the records of the second respondent in Letter No.R.C.No.2096/JDO-1/2025, dated 30.09.2025 and quash the same as illegal and arbitrary and in



W.P.(MD).Nos.235 of 2026 and 29847 of 2025

consequence thereof direct the first respondent to consider the bid submitted by the petitioner for the works covered in Sl.No.1,3 of the tender notice No. 31/2025-26/HDO and declare him as eligible to participate in the tender process.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
Assisted by Mr.M.Senthil Ayyanar
Government Advocate

W.P(MD) No.29847 of 2025

Velan Builders (P) Limited,
No.3, Periyar Thottam,
Ponneripuram Main Road,
Ponmalaipatti, Trichirappalli,
Represented by its Managing Director,
V.Kannaiyan.

... Petitioner

Vs.

1. The Superintending Engineer (Highways)
(Construction and Maintenance) Circle,
Tiruchirappalli.
2. The Divisional Engineer (Highways)
(Construction and Maintenance) Division,
Pudukkottai.
3. Illamvazhuthi,
Superintending Engineer (Highways)
(Construction and Maintenance) Circle,
Tiruchirappalli.
4. Matheswaran
Divisional Engineer (Highways)



W.P.(MD).Nos.235 of 2026 and 29847 of 2025

(Construction and Maintenance) Division,
Pudukkottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus thereby call for the records relating to the impugned order of rejecting the petitioner's bid submitted by online by the first respondent on 08.10.2025 at 05.25 p.m., for Sl.No.TRY-64 and Sl.No.3 TRY-66 at 05.35 p.m and quash the same as illegal and arbitrary and in consequence thereof declare the bid submitted by the petitioner as eligible to participate in the tender without production of Site Visit Certificate and Working Condition of Plant and Machineries from the second respondent and further direct the first respondent to finalize the tender process in accordance with regard to the work covered in Sl.No.1 and 3 of the tender notice No.31/2025-2026/HDO, dated 02.09.2025 issued by the 1st respondent.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
Assisted by Mrs.D.Farjana Ghoushia
Special Government Pleader – R1 &R2
Mr.R.Maheswaran – for R3 and R4

COMMON ORDER

The petitioner herein has challenged the order passed by the second respondent dated 30.09.2025, wherein his request for issuance of a Working



W.P.(MD).Nos.235 of 2026 and 29847 of 2025

condition of Plants and Machineries Certificate has been rejected and the consequential technical bid submitted by the Company has also been rejected. These two orders are put to challenge in these present writ petitions.

2. A perusal of the order impugned in the Writ Petition in W.P(MD) No. 235 of 2026 reveals that the petitioner's request for issuance of Plants and Machineries Certificate has been rejected on the ground that the petitioner has not produced any supporting documents, such as tax invoice to establish his ownership over the construction equipment, namely, a Static Road Roller.

3. The learned counsel appearing for the petitioner submits that the petitioner has purchased the same under a sale deed by way of second hand purchase and the sale deed dated 16.05.2025 was enclosed along with the tender documents. However, for not furnishing the tax invoice, the rejection order has been passed. According to him, the construction equipment being a movable property, an unregistered sale deed would be enough to establish title and possession over the said construction equipment.

4. Per contra, the learned Additional Advocate General appearing for



W.P.(MD).Nos.235 of 2026 and 29847 of 2025

the respondents submitted that while the stamp papers for the sale deed have been purchased on 16.05.2025, the agreement was executed on 24.07.2025. He further pointed out that the tax invoice of the second hand purchase on 16.05.2025, was enclosed in the typed set of papers, but, the tax invoice did not form part of the tender documents. Therefore, the authorities could not decide on the ownership of the Static Road Roller. He further submitted that the description of the equipment in the tender document is completely different from that of the equipment, for which now supporting documents have been produced.

5. I have carefully considered the submissions made by the learned counsel on either side and perused the materials available on record.

6. A perusal of the records clearly reveal that the tax invoice has been produced only along with the typed set of papers in the writ petition and it has not been produced with the tender documents along with the tender bid. The stamp paper relating to the said sale deed has been purchased on 16.05.2025, the date on which the tax invoice enclosed in the typed set of papers has been raised. However, at the end of the sale deed, the parties have signed the



W.P.(MD).Nos.235 of 2026 and 29847 of 2025

document on 24.07.2025. Therefore, some doubt arises over the fact whether the construction equipment was actually purchased on 16.05.2025 or on a different date, especially, in the light of the fact that the tax invoice, which is said to be in the possession of the petitioner, was not produced along with the tender documents.

7. In such a view of the matter this Court is of the opinion that the evaluating authority cannot be found fault with for rejecting the request of the petitioner for issuing certificate; consequently due to the non production of such certificate the tender bids have been rejected.

8. In view of the above said deliberations, there are no merits in the writ petitions. Accordingly, these writ petitions are dismissed. There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

08.01.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

6/8



WEB COPY



**W.P.(MD).Nos.235 of 2026 and 29847 of
2025**

To

1. The Superintending Engineer (Highways)
Construction and Maintenance Circle,
Tiruchirappalli.
2. The Divisional Engineer (Highways)
Construction and Maintenance Division,
Pudukkottai.



WEB COPY



W.P.(MD).Nos.235 of 2026 and 29847 of 2025

R.VIJAYAKUMAR,J.

ebsi

W.P(MD)Nos.235 of 2026 and 29847 of 2025

08.01.2026