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WP No. 46969 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-12-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 46969 of 2025

AND

WMP NO. 52719 OF 2025

M/s. Exhilar Innovative Solutions.
Rep. By Its Managing Director, Mr.
Dhinesh Singarayar ,Having Corporate
Office At No. 22/51 Venkatakrishna
Road Mandaveli Chennai 28

Petitioner(s)

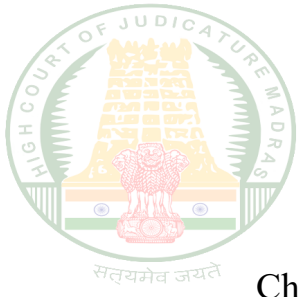
Vs

Tamil Nadu Livestock Development
Corporation.
Rep. By Its Chief Executive Officer
(fac) , 4th Floor Integrated Office
Complex For Animal Husbandry And
Fisheries Department, 571 Anna Salai
Saidapet Veterinary Polyclinic Campus
Nandanam Po, Chennai 35 and another

Respondent(s)

For Petitioner(s): Mr.Gautam S.Raman

ORDER



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Challenging the tender bearing Tender No.2025/28, Tender Reference No.1184/E/TNLDC/AHD/2025, issued by the 1st respondent, the present writ petition has been filed.

2.The 1st respondent had floated a tender vide Tender No.TNLDC/2025/16 for the supply of adjustable reflective collars, implantable unique identification-Radio Frequency Identification (RFID) microchips and microchip reader to the animal birth control (ABC) centres of Tamil Nadu Animal Welfare Board (TNAWB) across the 38 Districts of the State. The tender notice was published in the English Daily and Tamil Daily on 18.07.2025 and in the State tender Bulletin on 24.07.2025, and the tender was floated on 22.08.2025. The bid opening and submission was on 17.09.2025 and the financial bid opening date was 08.10.2025. The petitioner and the 2nd respondent participated in the said bid and the petitioner emerged as L1 on 08.10.2025. Subsequently, on 10.11.2025, the same tender was refloated and



the erstwhile tender was cancelled on 18.11.2025 owing to administrative reasons. The petitioner and the 2nd respondent participated in the tender and on 26.11.2025, the 2nd respondent emerged as L1 without qualifying any eligibility criteria.

3.Learned counsel for the petitioner would mainly submit that, as per the tender notification, the bidder must fill up both the Techno-Commercial Bid and Financial Bid of e-tender, and the EMD and the Techno-Commercial Bids will be evaluated and the bids which are found to be in accordance with the tender requirements will be short-listed and the Financial Bids of the eligible tenderers would be considered for further evaluation and finalization of the tender. It is his contention that there cannot be any deviation from the conditions. On earlier occasion, when the 2nd respondent had participated, the Tender Scrutiny cum Evaluation Committee evaluated the documents presented by the 2nd respondent and they found that the Import Licence was not in the name of the 2nd respondent and it was in the name of one Heaven Automation Pvt. Ltd. Similarly, there was no evidence produced to prove that the 2nd respondent has



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manufactured and marketed the quoted product and there was no document to show that they were in the purchase of such materials all these years. Hence, the Committee rejected the 2nd respondent and the petitioner became L1. When the earlier tender was pending consideration, on 10.11.2025, the same tender was refloated and the erstwhile tender was cancelled on 18.11.2025. Now, the 2nd respondent is declared as L1. The documents produced by the 2nd respondent which were rejected in the earlier tender have been accepted now and a report is given as if those may be accepted.

4.I have perused the entire materials available on record.

5.When the process was technical, there should not be any deviation in the tender conditions. While the documents filed by the 2nd respondent were rejected by the Scrutiny Committee on the earlier occasion, within two months from the erstwhile tender, the same documents have now been taken into consideration. This *prima facie* indicates that, only in order to reject the petitioner somehow or the other and take away the right of the petitioner as L1,



the documents of the 2nd respondent, have been considered. Now, the 2nd

respondent has been declared as L1. Therefore, in view of the above, the

petitioner has made out a *prima facie* case in his favour. Hence, there shall be

an order of interim stay of further proceedings in relation to the impugned

tender.

6. Notice to the respondents, returnable by 18.12.2025. Private Notice is also permitted.

7. Post the matter on 18.12.2025.

01-12-2025

mkn

Internet: Yes

To

The Chief Executive Officer (fac),
Tamil Nadu Livestock Development
Corporation,
4th Floor Integrated Office Complex
For Animal Husbandry And Fisheries
Department, 571 Anna Salai Saidapet
Veterinary Polyclinic Campus



Nandanam Po, Chennai 35

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