



WP(MD)No.15220 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-03-2026

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

WP(MD) NO. 15220 of 2025

R.Sidhrangathan,
S/o. Raja Gopal,
12/71, South Street,
Sundankottai, Pallakuruchi,
Thoothukudi.

Petitioner

Vs

1.The Commissioner,
Thoothukudi Municipal Corporation,
Thoothukudi.

2.The District Collector,
Thoothukudi.

3.The Secretary to Government,
Municipality Administration and Water Resource Department,
Fort St. George,
Chennai.

Respondents

For Petitioner:

Mr.S.Mani



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For Respondents:

Mr.M.Ajmal Khan (R1)
Additional Advocate General
Assisted by
Mr.N.Anandakumar,
Standing Counsel

Mr.D.Sasikumar (R2 & R3)
Additional Government Pleader

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 all the records pertaining the impugned e-tender notice dated 04-04-2025 in File No. E1/04737/2021 issued by the 1st respondent regarding the works mentioned in Serial Nos.1, 2 and 5 and quash the same as null and void and consequently direct the respondents to issue suitable direction a complete investigation and enquiry by a competent agency regarding the malpractices in the above said tender process.

ORDER

(Order of the Court was made by the Hon'ble N.Sathish Kumar J.)

The present Writ Petition has been filed challenging the e-tender notice dated 04.04.2025 issued by the first respondent, inter alia contending that the works included in the tender notification had already been completed and were declared open as early as 17.02.2025.



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2.The learned counsel appearing for the petitioner submitted that insofar as Serial Nos.1, 2 and 5 in the tender notification are concerned, the works have already been completed. He further placed reliance on the statements made by the Hon'ble Member of Parliament and Members of the Legislative Assembly, who had declared the said areas opened as early as 17.02.2025. Therefore, according to the learned counsel, the present tender has been issued in respect of works that have already been completed though described under a different nomenclature.

3.Mr.M.Ajmal Khan, learned Additional Advocate General appearing for the first respondent, submitted that with regard to Serial No.1, as pointed out by the writ petitioner, there are several parks available in the layout. The park that was declared open on 17.02.2025 is located on the southern side of the layout. The present tender has been called for only in respect of the park earmarked in the northern portion of the layout.

4.Insofar as serial No.2 is concerned, the learned Additional Advocate General submitted that a B.T. road has not been laid so far and only debris has been removed. The tar road has not yet been laid and the tender



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has been called for only for the purpose of laying the tar road.

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5.Insofar as serial No.5 is concerned, the learned Additional Advocate General submitted that the tender has been called only for fencing the entire area and providing electrification. Though the park has already been opened, the works relating to erection of fencing and electrification remain to be carried out. He further submitted that about 80% of the work has already been completed. Therefore, he sought for vacating the interim order.

6.In view of the rival submissions made by the learned counsel appearing on either side and in view of the materials placed on record, including the statements made at the time of declaring the works open, we are of the opinion that a field inspection would be necessary to ascertain the factual position.

7.Accordingly, Mr.G.Prabhu Rajadurai, Senior Advocate, Chamber No.103, Madurai Bench of Madras High Court, Madurai (Cell No. 90802 98859), is appointed as an Advocate Commissioner to inspect the places in question and submit a report before this Court.



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8.The District Collector, Thoothukudi, and the Commissioner,

Thoothukudi Municipal Corporation, shall identify the locations in question and facilitate the inspection. The petitioner and his representatives may also be present at the time of inspection.

9.The Advocate Commissioner shall inspect the sites and submit a detailed report on the following aspects:

(i) Whether the tender called for by the Corporation in serial No.1 relates to another land earmarked as a park in the P & T Colony layout, inviting tender for providing open space playground arrangements and construction of a compound wall at P & T Colony 12th Street (West Zone), whereas the park in the South Zone had already been declared open by the MP and MLA.

(ii) Whether a pacca tar road has been laid on the walking track at Meenatchipuram Corporation Playground, or whether it still remains an unfinished B.T. road, with reference to serial No.2.



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(iii) With regard to serial No.5, whether the work has already been completed and only the works relating to fencing and electrification remain to be carried out.

10.The Advocate Commissioner shall be paid a remuneration of Rs.30,000/- (Rupees Thirty Thousand only) by the petitioner within a period of two days. Apart from the said remuneration, all other expenses incurred by the Advocate Commissioner shall also be borne by the petitioner.

11.All the parties concerned shall extend their full cooperation to the Advocate Commissioner to enable him to complete the task assigned by this Court within the stipulated time.

12.The Advocate Commissioner shall file a detailed report on or before 18.03.2026.

13.The Registry is directed to issue a warrant to the Advocate Commissioner forthwith.



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14.Post the matter on **18.03.2026** for passing further orders.

(N.SATHISH KUMAR J.) (M.JOTHIRAMAN J.)
11-03-2026

ps

Note: Issue Order Copy on or before 12.03.2026.

To

1.The Commissioner,
Thoothukudi Municipal Corporation,
Thoothukudi.

2.The District Collector,
Thoothukudi.

3.The Secretary to Government,
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