

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19-08-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WP(MD) No. 24258 of 2026

and

W.M.P.(MD)No.18069 of 2026

No Food Waste
bearing Registration No. 71/BK4/2015,
having its Corporate Office at No. 19/33,
1st Floor, 50 Feet Road, Krishnaswamy Nagar,
Ramanathapuram, Coimbatore - 641 045,
Represented by its Managing Trustee,
Mr. A.G. Padmanaban

..Petitioner(s)

Vs

1. The Commissioner
Pugalur Municipality, Pugalur-639 117,
Karur District, Tamil Nadu.
2. M/s.Kothari Industrial Corporation Limited
Having its Registered Office at Kothari
Buildings, No.114, Nungambakkam High Road,
Nungambakkam,
Chennai-600 034, Tamil Nadu,
Represented by its Authorised Signatory.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, forbearing the 1st Respondent from proceeding with the award or finalisation of the Tender in Reference No.17404/2022/m1 in favour of the 2nd Respondent, without considering and disposal of the petitioner's representation dated 17.08.2026, after affording reasonable opportunity of hearing to the Petitioner, by passing a reasoned order thereon within such time as may be fixed by this Hon'ble Court and consequently, if the 2nd Respondent is found not to satisfy the mandatory



technical/pre-qualification requirements of the Tender, to treat the 2nd Respondent's bid as non-responsive/disqualified and thereafter proceed with the Tender in accordance with law and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner(s): Mr.A.Kannan
for A.K.Amaravel Pandiyan

For Respondent(s): Mr.K.Balasubramani for R1
Mr.C.M.Arumugam for R2

ORDER

The petitioner and the second respondent appear to be the only bidders who responded to the tender floated by the first respondent on 22.07.2026 for selection of a Food Service Provider for the Perunthalaivar Kamarajar Morning Breakfast Scheme for municipal school children in Pugalur Municipality.

2. It appears that the petitioner and the second respondent alone responded to the tender, and the technical bids were opened on 17.08.2026, followed by the opening of the financial bids on 18.08.2026.

3. The case of the petitioner is that Condition No.5(ix) has not been complied with by the second respondent, whose bid appears to have been accepted for a sum of Rs.1,61,84,750/-, as against the petitioner's bid of Rs.1,64,95,995/-.

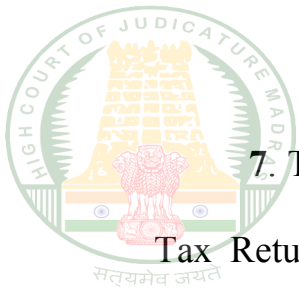


4. Specifically, it is submitted that the second respondent has not qualified at the technical bid stage, as the second respondent has not produced the necessary certificate contemplated under Condition No.5(ix) of the tender document.

5. It is further submitted that the second respondent has merely produced the following three work orders issued for commencement of the work, as detailed below:-

Sl.No.	ROC.No. and Date	Description
1.	7130/2025/H1, dt. 27.11.2025	Sanitary Workers Meal Scheme
2.	29143/2025 /H1 dt. 27.11.2025	A Catering Agency for providing food to the Sanitary Workers
3.	449/2025, dt. 30.01.2026	For providing food to the Sanitary Workers

6. It is also submitted that the petitioner had raised an objection to the qualification of the second respondent on 17.08.2026 itself. Despite the same, the first respondent proceeded to accept the technical bid of the second respondent and thereafter, accepted the financial bid, which was lower than the amount quoted by the petitioner.



7. That apart, it is submitted that, as per the tender document, the Income Tax Return has to be filed in the name of the Organisation. However, the Income Tax Return of the individual has been filed and, therefore, on this ground also, the bid of the second respondent is stated to be liable for rejection.

8. On a specific query as to why the second respondent had not produced the requisite certificate, the learned counsel appearing for the second respondent is unable to give any proper answer.

9. Considering the same, the first respondent is directed to await further orders in this Writ Petition.

10. List the case for final hearing on **09.09.2026**.

11. In the meanwhile, the respondents are directed to file their counter affidavits.

19-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

The Commissioner
Pugalur Municipality, Pugalur-639 117,
Karur District, Tamil Nadu.

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C.SARAVANAN, J.

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