

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. \_\_\_\_\_ OF 2026  
(Arising out of SLP(Civil) No.7605/2026)

M/S. DURAI ENTERPRISES

Appellant(s)

VERSUS

THE COMMISSIONER, ENDOWMENT DEPARTMENT & ORS. Respondent(s)

O R D E R

1. Leave granted.
2. The brief facts leading up to the filing of the present appeal are that the appellant is a company engaged in the business of collecting human hair offered by the devotees across temples in Tamil Nadu, Telangana and Andhra Pradesh. A 6<sup>th</sup> Tender Notice was issued on 14.04.2025 by the respondent no. 2 - The Executive Officer, Sri Raja Rajeshwara Swamy Devasthanam, Vemulawada for issuing the license rights for collection of human hair offered by the devotees, wherein, the respondent no. 3 - Kalawati Enterprises had participated in the bid and had quoted an amount of Rs. 14,01,30,009/-. The upset

pricing of the said tender was set at Rs. 19,00,00,000/-. On 24.04.2025, the petitioner had addressed a letter to the respondent no. 1 stating that it was unable to participate in the process of 6<sup>th</sup> Tender due to technical issues and requested the said tender to be cancelled, and sought to re-initiate the tendering process.

3. On 26.04.2025, the respondent no. 1 had sent a letter to the respondent no. 2 and directed the latter to conduct the e-tender process afresh. Thereafter, on 27.04.2025, the respondent no. 2 issued a Tender Notice for the 7<sup>th</sup> time for collection of human hair to be offered by the devotees. The period of license was to commence from 12.04.2025 and end on 11.04.2027, i.e., for a period of two years.

4. Pursuant thereto, the respondent no. 3 sent a letter to the Principal Secretary (Endowments Department), Government of Telangana requesting to issue license in its favour and to set aside the cancellation of the 6<sup>th</sup> tender. The Principal Secretary (Endowments Department), Government of

Telangana issued a letter on 01.05.2025, to the respondent no.1 to examine the issues raised by respondent no. 3 and further directed to keep the process of 7<sup>th</sup> tender in abeyance. The appellant had participated in the bidding process of the 7<sup>th</sup> Tender and had quoted a price of Rs. 17,00,00,000/- .

5. Further, on 03.06.2025, the respondent no. 1 sent a letter to Principal Secretary (Endowments Department), Government of Telangana stating that it would not be appropriate to cancel the 6<sup>th</sup> tender process, since it would become open to challenge before the concerned legal forums. Accordingly, the Principal Secretary (Endowments Department), Government of Telangana permitted the respondent no. 1 to award the license to the respondent no. 3 in accordance with the 6<sup>th</sup> tender process. As a result, the license rights were approved for collecting human hair in favour of the respondent no. 3 for an amount of Rs. 14,01,30,009/- between the period from 12.04.2025 to 11.04.2027 vide a memo dated 10.07.2025.

6. The appellant had challenged the aforesaid action by way of a writ petition before the High Court of Telangana, which came to be dismissed on 29.07.2025. The writ appeal challenging the order passed by the learned Single Judge also met the same fate. Hence, the present appeal has been preferred against the impugned order dated 07.01.2026 passed by the Division Bench of the High Court of Telangana.

7. The learned Senior Counsel appearing for the appellant, while assailing the impugned judgment submitted that there was no concluded contract between the respondents no. 2 and 3, pursuant to the bidding process conducted in the 6<sup>th</sup> Tender. The amount that has been quoted by the appellant in the 7<sup>th</sup> Tender Notice, which was issued subsequently, is at a much higher sum of Rs. 17,00,00,000/-. The decision of the Tender Committee to proceed with the 6<sup>th</sup> Tender is also extremely flawed, as it was based on the premise that there might be a legal challenge if the 6<sup>th</sup> Tender is cancelled.

This decision was undertaken without understanding the correct position of law.

8. Even on the facts of the present case, the order passed by the High Court is liable to be interfered with, particularly, when the confirmation of license rights has taken place followed by execution of the lease deed between the respondents no. 2 and 3 on 07.08.2025, after the disposal of the Writ Petition by the learned Single Judge on 29.07.2025. It is further submitted that there is nothing wrong in the prayer(s) sought for by the appellant, as it cannot be expected that the appellant could not have challenged the intra - departmental communication(s).

9. *Per contra*, the learned Senior Counsel appearing for the respondent(s) submitted that nearly one year has elapsed since the execution of the lease deed between the respondents no. 2 and 3. The appellant, as rightly taken note of by the High Court, did not participate in the 6<sup>th</sup> tender bidding process. Though, he submits that the bidding process for issuing of the license prior to

the 6<sup>th</sup> tender, was concluded at a sum of Rs.19,00,08,000/-, as quoted by successful bidder therein. By taking note of the power of judicial review pertaining to matters involving tenders, there is no need for interference with the impugned order passed by the High Court, particularly, when the contesting respondent no. 3 has already completed nearly one year of the contract.

10. We have heard the learned counsel appearing for the parties and perused the records.

11. The order passed by the High Court is liable to be interfered with, both on facts and the law. No vested rights could have been created in favour of the successful tenderer of the 6<sup>th</sup> tender process, i.e., the respondent no. 3. The fact that the 7<sup>th</sup> Tender notification had been issued subsequently, would itself show that 6<sup>th</sup> Tender has been given a go by.

12. It is not in dispute that the 6<sup>th</sup> Tender has not been proceeded with, due to an inadequate amount quoted by the

respondent no. 3, compared to the upset pricing of Rs. 19,00,00,000/-. It is also not in dispute that during the 7<sup>th</sup> tender process, a higher amount of Rs. 17,00,00,000/- has been quoted by the appellant. Be that as it may, even the appellant in his representation to the respondent no. 1 had stated that he is willing to offer a bid for an amount of Rs. 15,00,00,000/- which was also considered as a factor to conduct the 7<sup>th</sup> Tender process through online mode.

13. The argument raised that the 6<sup>th</sup> tender has not been cancelled, cannot be countenanced, as the memo dated 26.04.2025 issued by the Deputy Commissioner, Endowments Department, Telangana had clearly directed to conduct the e-tender again.

14. However, we are not inclined to interfere with the contract awarded to the respondent no. 3, only for the reason that it could enure to the benefit of the contesting respondent(s). Out of the two years of license rights awarded in favour of the respondent no. 3, a period of one year has already elapsed.

15. Considering the peculiar facts of the case and the aforementioned circumstances, we are inclined to dispose of the present appeal with a direction that the contesting respondent no.3 will have to pay an amount of Rs. 2,00,00,000/-, in addition to the one quoted by it during the bid for the 6<sup>th</sup> Tender i.e., Rs. 14,01,30,009/- in favour of the respondent no. 2 - Temple, within a period of three months from the date of receipt of a copy of this order.

16. The appeal stands disposed of in the aforesaid terms, accordingly.

17. Pending application(s), if any, shall also stand disposed of.

.....J.  
(M.M. SUNDRESH)

.....J.  
(PRASANNA B. VARALE)

New Delhi  
10.04.2026

ITEM NO.50

COURT NO.5

SECTION XII-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 7605/2026

[Arising out of impugned final judgment and order dated 07-01-2026 in WA No. 997/2025 passed by the High Court for The State of Telangana at Hyderabad]

M/S. DURAI ENTERPRISES

Petitioner(s)

VERSUS

THE COMMISSIONER, ENDOWMENT DEPARTMENT &amp; ORS.

Respondent(s)

IA No. 59333/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 59334/2026 - EXEMPTION FROM FILING O.T.

Date : 10-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) :

Mr. S Niranjan Reddy, Sr. Adv.  
Mr. P. Mohith Rao, AOR  
Ms. J. Akshitha, Adv.  
Mr. Eugene S Philomene, Adv.  
Mr. Dipankar Mukherjee, Adv.  
Mr. Vansh Sharma, Adv.

For Respondent(s) :

Mr. L. Narasimha Reddy, Sr. Adv.  
Mr. Sravan Kumar Karanam, AOR  
Mr. Kumar Abhishek, Adv.  
Mr. P. Venkatraju, Adv.  
Ms. M. Harshini, Adv.  
Ms. Santosh Kumar Yadav, Adv.

Mr. Mukund P. Unny , AOR  
Mr. Dhruv Mehta, Sr. Adv.  
Mr. Ananga Bhattacharyya, Adv.  
Mr. Krishanu Barua, Adv.  
Ms. Devahuti Tamuli, Adv.  
Mr. V V N Narayan Rao, Adv.  
Mr. Keith Varghese, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Leave granted.
2. The appeal stands disposed of in terms of the signed order.
3. Pending application(s), if any, shall also stand disposed of.

(NISHA KHULBEY)  
COURT MASTER (SH)

(AVGV RAMU)  
COURT MASTER (NSH)

(signed order is placed on the file)