

**(2025) 12 MAD CK 0022**

**Madras HC**

**Case No:** Writ Petition No. 48030 Of 2025, Writ Miscellaneous Petition No. 53639, 53640  
Of 2025

Leema Construction

APPELLANT

Vs

Chairman And Others

RESPONDENT

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**Date of Decision:** Dec. 8, 2025

**Hon'ble Judges:** N. Sathish Kumar, J

**Bench:** Single Bench

**Advocate:** Mohamed Ashik Jaman, K.Arun Prasad

**Final Decision:** Disposed Of

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### **Judgement**

N. Sathish Kumar, J

1. The petitioner has been filed challenging the tender document in Tender Specification No.CE/NCTPS-1/SE/CM/121/2025-26 dated 26.11.2025, quash the same and further direct the respondents to issue a fresh tender for providing portable water for drinking water purpose to Power Hose at NCTPS-I premises for a period from 01.12.2025 to 30.04.2026.

2. It is the case of the petitioner that petitioner undertakes civil contract works, by participating tenders. While so, impugned public tender was issued for providing portable water for drinking water purpose to Power House at NCTPS-I premises for period from 01.12.2025 to 30.04.2026. The petitioner found anomalies under the Bidder Qualification Requirements Requirements(BQR), wherein, it is mandated that the bidder should have previous experience in water supply of minimum quantity of 180KL per day for a continuous period of one month in Government undertakings within the last 10 years from the date of tender opening for a value more than Rs.10 lakhs in a single order and the above BQR is totally unprecedented. Therefore, the petitioner challenges the tender.

3. The learned counsel for the petitioner submitted that in the tender conditions, there is no clarification whatsoever issued as to from where the water has to be supplied and in the absence of such conditions, the same will lead to exploitation of ground water.

4. Whereas, the learned counsel for the respondents submitted that now the conditions are incorporated as to that the necessary approval and permission from the Government Authority for drawing the water from ground to be obtained by the bidder. Otherwise, authorisation/dealership certificate to be obtained from Government approved agencies. He also produced a note of the Superintending Engineer/CM, North Chennai Thermal Power Station-I, Chennai dated 06.12.2025 in this regard.

5. Heard both sides and perused the materials placed on record.

6. Such view of the matter, as the necessary conditions are incorporated, as a matter of right, now, the petitioner cannot question the tender condition as arbitrary. The authorities shall ensure that unnecessary exploitation of the ground water shall not take place and shall also ensure that when the appropriate license is granted by the government authorities to extract the water from a place, the water should be drawn only from such place.

7. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions stand closed.