

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.12612 and 12613 of 2016
and
WMP.No.10887 of 2016

SIFY Technologies Limited
represented by its Authorised Signatory
Suresh Balakrishnan ... Petitioner
in both the petitions

Vs.

Union of India
Ministry of Communications & IT
Department of Telecommunications
Office of the Principal Controller of Communication Accounts
Tamil Nadu Circle,
Chennai 600 028
rep. by the Joint Controller of
Communication Accounts (LF) ... Respondent
in both the petitions

Writ petitions have been filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari to call for the records of the respondent relating to Letter No.PCCA/TN/LF-I/ISP-IT/2009-10/FBG/Qtrly Rev dated 15.12.2015 issued by the respondent to the petitioner and quash the same.

For Petitioner : Mr.Anirudh Krishnan

For Respondent : Mr.G.Rajagopalan, Senior Counsel
for Mr.B.Rabu Manohar

COMMON ORDER

The petitioner has filed the present writ petitions, challenging the two communications issued by the respondent dated 15.12.2015, in and by which, the petitioner was directed

to furnish additional/enhanced Financial Bank Guarantees to the tune of Rs.27,10,000/- and Rs.10,59,95,000/- respectively, under the Unified License Agreement, within a period of one month from the date of receipt of the said communications, to make good the deficiency. It was further informed in the said communications that non-adherence of the said direction would attract the action of invocation of other Financial Bank Guarantees as enunciated in the agreement.

2. The petitioner has also filed a Miscellaneous Petition in WP.No.12612 of 2016 praying to grant an order of injunction restraining the respondent from invoking the bank guarantees numbering six dated 25.04.2014 pending disposal of the said writ petition.

3. When the writ petitions came up for admission on 04.04.2016, this Court granted an order of status quo till 07.04.2016, which was subsequently extended till 18.04.2016.

4. Today, when the matters came up for consideration, learned counsel for the petitioner submitted that the petitioner has renewed the bank guarantees pertaining to Unified Licence Agreement through HDFC Bank Limited, Chennai, till 24.04.2017. He further submitted that the petitioner is now intending to work out their remedy in the proceedings pending before the Telecom Disputes Settlement and Appellate Tribunal, New Delhi and therefore, he prayed for closure of these writ petitions.

5. Learned senior counsel appearing for the respondent also submitted that the respondent will not invoke the bank guarantees furnished by the petitioner till such time.

6. Recording the submissions so made by both the parties, both the writ petitions are closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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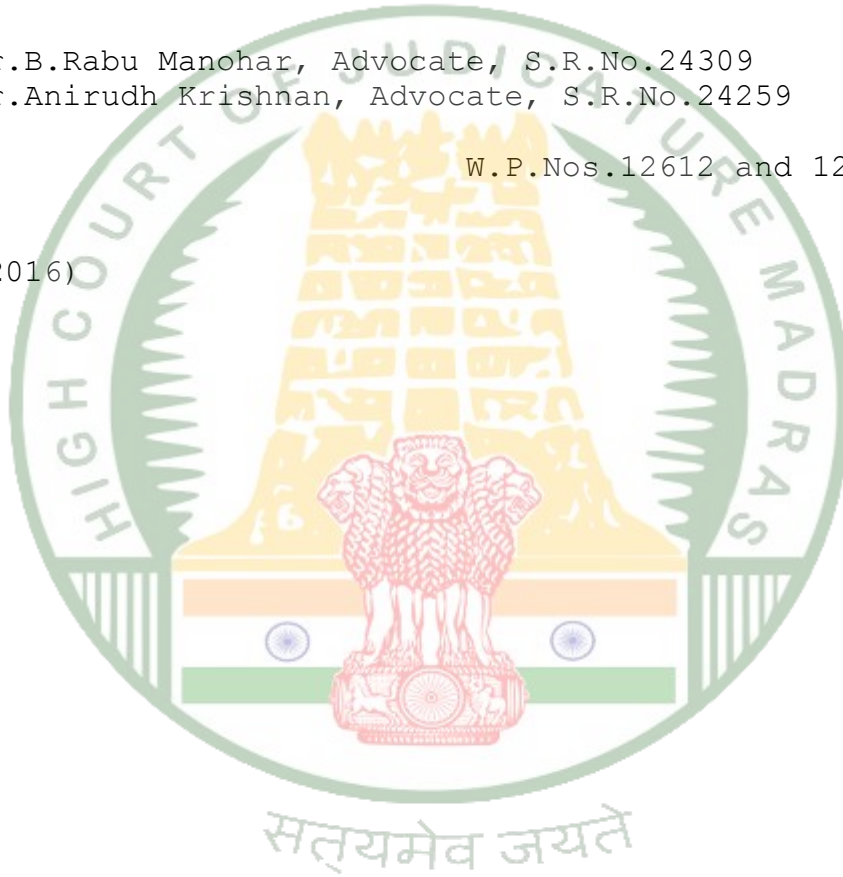
To

The Joint Controller of
Communication Accounts (LF),
Union of India
Ministry of Communications & IT
Department of Telecommunications
Office of the Principal Controller of Communication Accounts
Tamil Nadu Circle,
Chennai 600 028

+1cc to Mr.B.Rabu Manohar, Advocate, S.R.No.24309
+1cc to Mr.Anirudh Krishnan, Advocate, S.R.No.24259

W.P.Nos.12612 and 12613 of 2016

AK(CO)
CA(25/04/2016)



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