

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.01.2016

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. No.14992 of 2003

E.Kamaraj .. Petitioner
Vs.

- 1.The Deputy General Manager,
BSNL Telecom Transmission Project,
Madurai.
- 2.The Divisional Engineer,
Telecom, Transmission Project Division,
Tiruvvelveli - 627 001.
- 3.The Divisional Engineer,
OFC Division, Madurai - 2.
- 4.Bose Perumal ... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to allow the petitioner to complete the work as per the agreement at Surandai-Uthumalai-Venkatesapuram Section No.8, Tirunelveli District and pay the bill amount pending to the petitioner.

For Petitioner : No Appearance
For Respondent Nos.1 to 3 : Mr.S.Udayakumar

O R D E R
सत्यमेव जयते

The petitioner is a contractor with the second respondent. From the representations of the petitioner dated 26.02.2003 and 11.03.2003, it is seen that he could not complete the contract. By subsequent communication dated 27.03.2003, he was informed that despite several reminders, he has failed to complete the work given to him. In fact, he has completed 1.4 Kms as on 24.03.2003 and also he was informed that his Section is restricted to only for 2 Kms and action would be taken for recovery of compensation for the delay caused. Therefore, tender notice was issued on 01.04.2003. The petitioner also made another representation dated 02.04.2003 to the first respondent. Since the no reply was forthcoming, he has come forward to file this present Writ Petition.

2.This Court cannot go into the contractual matters between the parties. The petitioner neither challenged the order restricting the work nor the tender notice. He cannot legally demand that the remaining work to be done would be completed by him and thereafter payment should be made to him.

3.The Writ Petition is dismissed accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

TO

- 1.The Deputy General Manager,
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Madurai.
- 2.The Divisional Engineer,
Telecom, Transmission Project Division,
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- 3.The Divisional Engineer,
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+ 1 cc to Mr.S. Udayakumar, Advocate Sr.1120

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सत्यमेव जयते

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