

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.38171 of 2004
and W.P.M.P.No.45700 of 2004

L.Thangadurai

... Petitioner

Vs.

1. Union of India rep. by the General Manager,
Southern Railways, Park Town,
Chennai 3.
2. Senior Divisional Engineer (Coordination),
Southern Railway, Trichirappalli.
3. The Divisional Engineer/East/TPJ,
Southern Railways, Trichirappalli.
4. The Assistant Divisional Engineer,
Southern Railways, Thiruvavur.

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent impugned order No.T/W/148/041, dated 25.11.2004 and quash the same and directing the respondents 1 to 4 herein from any way stopping payment of the petitioner's other bills.

For Petitioner : Mr.R.Rajarajan
for Mr.R.Srinivasan
For Respondents : Mr.P.T.Ramkumar

O R D E R

This petition is filed to quash the order of the 3rd respondent in No.T/W/148/041, dated 25.11.2004.

2. It is the submission of the learned counsel for the petitioner that when identical case came up before this Court in W.P.Nos.37306 and 37307 of 2004, this Court by an order, dated 18.07.2017 had granted liberty to the petitioners therein to work out their remedies by invoking the arbitration clause in the agreement. It is also submitted that there is an arbitration clause between the petitioner and the respondents herein in connection with the respondents' demand in the impugned order.

3. In view of the said arbitration clause and also in line with the earlier order of this Court passed in W.P.Nos.37306 and 37307 of 2004, dated 18.07.2017, the petitioner is granted liberty to work out his remedy by invoking arbitration clause between him and the respondents. In view of the liberty granted, no interference is required in to the impugned order passed by the respondents herein.

4. With the above observations, the Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The General Manager, सत्यमेव जयते
Union of India,
Southern Railways, Park Town,
Chennai 3.

2. Senior Divisional Engineer (Coordination),
Southern Railway, Trichirappalli.

3. The Divisional Engineer/East/TPJ,
Southern Railways, Trichirappalli.

4. The Assistant Divisional Engineer,
Southern Railways, Thiruvvarur.

W.P.No.38171 of 2004

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nr 05/04/2019



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