

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.12239 & 28773 of 2019

and

W.M.P.Nos.28518, 28520 & 12523 of 2019

Excel Engineering Enterprises
No.63,Tamaraikulam,
Elagiri Post
Jolarpettai,
Vellore District,
rep. By its Proprietor,
G.Kumaresan

... Petitioner in both the W.Ps

vs

The General Manager,
Southern Railways,
Park Town,
Chennai-600 003.

The Chief Administrative Officer,
Construction, Southern Railway,
Egmore, Chennai- 600 008.

The Chief Engineer/
S& RB, Construction, Southern Railway,
Egmore, Chennai- 600 008

The Deputy Chief Engineer,
Construction, Southern Railway,
Tambaram,
Chennai - 600 045.

...R1 to R4 in WP.Nos.12239/19 &
28773/2019

Mr.N.Jayaraman,
The Executive Engineer, (XEN)
Construction, Southern Railway,
Tambaram,

Chennai - 600 045. ..5th respondent in W.P.12239/2019 and 6th
respondent in W.P.No.28773/2019

Mars Construction,
HIG 2253 TNHB,
Avadi,
Chennai - 600 054

..6th respondent in W.P.12239/2019

S.Jayasankar,
Deputy Chief Engineer,
Construction, Southern Railway,
Tambaram,
Chennai - 600 045

..5th Respondent in W.P.No.28773/2019

Prayer:

Writ Petition No.12239/2019 is filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the respondents 1 to 5 (1) to take measurements of the work executed by the petitioner (2) to hand over the site from Tambaram to Guduvancheri and Singaperumal Koil to Chengalpattu (3) to furnish the "Working Section (Earth Work formation design drawing)" for the balance of work (4) to make payment for the work done and (5) until the measurement is made of the work executed by the petitioner not to permit the 6th respondent or any other persons/contractors to execute any work over and above the work executed by the petitioner in pursuant to the Letter of Acceptance made in No.W.496/TBM-CGL/5/CN(7896) UCC:001568, Tender Number TBM-CGL/5 dated 30.01.2017 on the file of the 2nd respondent and Agreement No.60/DY.CE/CN/I/TBM-CGL/2017 dated 12.04.2017 on the file of the 4th respondent.

Writ Petition No.28773/2019 is filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari to call for the records relating to the proceedings No.P.133/I/1/CN/Jurisdiction/Vol.IV dated 23.09.2019 on the file of the 2nd respondent and quash the same.

For Petitioner : Mr.Elangovan
for Mr.S.Doraiswamy
in WP.No.12239/2019
Mr.M.Sathish Kumar in
WP.No.28773/2019

For Respondents : Mr.P.T.Ramkumar
both petitions Standing Counsel

C O M M O N O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. The learned counsel for the petitioner seeks permission of this Court to withdraw these writ petitions. He has also given a letter to the Registry to that effect.

3. In view of the above, the Writ Petitions are dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

vri/vsi

To

1. The General Manager,
Southern Railways,
Park Town,
Chennai-600 003.
2. The Chief Administrative Officer,
Construction, Southern Railway,
Egmore, Chennai- 600 008.
3. The Chief Engineer/
S& RB, Construction, Southern Railway,
Egmore, Chennai- 600 008

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4. The Deputy Chief Engineer,
Construction, Southern Railway,
Tambaram,
Chennai - 600 045.

W.P.Nos.12239 & 28773 of 2019
and

W.M.P.Nos.28518, 28520
& 12523 of 2019

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