

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.08.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.Nos.16450 & 16451 of 2018

M/s.GMS Elegant Builders (I) (P) Ltd.,
Rep. by its Managing Director,
P.Balasivakumar,
New No.H-98/1, Periyar Nagar,
Erode - 638 001. .. Petitioner in both W.Ps.

-vs-

- 1.The Secretary,
(Finance & Expenditure),
Ministry of Finance,
32, New Moti Bagh,
New Delhi - 110 023.
- 2.The Director (Expenditure),
Ministry of Finance,
Department of Expenditure,
Room No.76, North Block,
New Delhi - 110 001.
- 3.The Secretary,
Ministry of Human Resources and Development,
Department of Higher Education,
Technical Section-1,
Shastri Bhawan,
New Delhi - 110 001.
- 4.The Director,
Indian Institute of Information Technology,
Design & Manufacturing,
Kancheepuram, Melakottaiyur,
Chennai - 600 127.
- 5.The Director General (Works),
CPWD, A Wing,
Room No.101, Nirmal Bhavan,
New Delhi - 110 001.
- 6.The Chief Engineer (SZ),
CPWD,
Rajaji Bhawan,
Chennai - 600 090.

7.The Project Manager,
Indian Institute of Information Technology,
Design & Manufacturing,
Kancheepuram Project Circle, CPWD,
Melakottaiyur Village,
Vandalur-Kelambakkam Road,
Chennai - 600 127.

8.The Executive Engineer,
Kanchipuram Project Division II,
CPWD, Melakottaiyur,
Chennai - 600 127.

.. Respondents in both W.Ps.

Prayer in W.P.No.16450 of 2018: Petition filed under Article 227 of Constitution of India to issue a Writ of Certiorarified Mandamus to call for the entire records of the 3rd respondent which culminated in its proceedings F.No.48-3/2017-TS1 dated 02.04.2018 and to quash the same as arbitrary, illegal and unsustainable and further direct the respondents 1 to 3 herein to release funds to the 4th respondent for the entire construction undertaken by it at IIITDM, Kancheepuram to enable the 4th respondent to release funds to respondents 5 to 8 in order to enable them to pay the above mentioned certified and admitted bills to the petitioner and meet their obligations under the contract in Agreement No.2/KPDII/2014-15.

Prayer in W.P.No.16451 of 2018: Petition filed under Article 227 of Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 herein to release funds to the respondents 4 to 8 for the entire construction undertaken by the petitioner at IIITDM, Kancheepuram to enable the respondents 4 to 8 to make payment due and payable to the petitioner herein under RA Bills 6 to 8 already duly certified for payments to meet their statutory obligations under the contract as per the terms and conditions of Agreement No.1/KPDII/2015-16.

For Petitioner : Mr.K.Surendranath
in both W.Ps.

For Respondents : Mr.K.S.Jeyaganeshan
in both W.Ps. for RR1 to 3 and 5 to 8

M/s.Menon, Karthik, Mukundan &
Neelakantan for R4

COMMON ORDER

These writ petitions are heard through Video-Conference on account of COVID-19 pandemic situation.
<https://hcservices.ecourts.gov.in/hcservices/>

2. The learned counsel appearing for the petitioner has already submitted a memo dated 17.08.2020 seeking withdrawal of these writ petitions.

3. In view of the memo dated 17.08.2020, these writ petitions are dismissed as withdrawn. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

gg/rsi

To

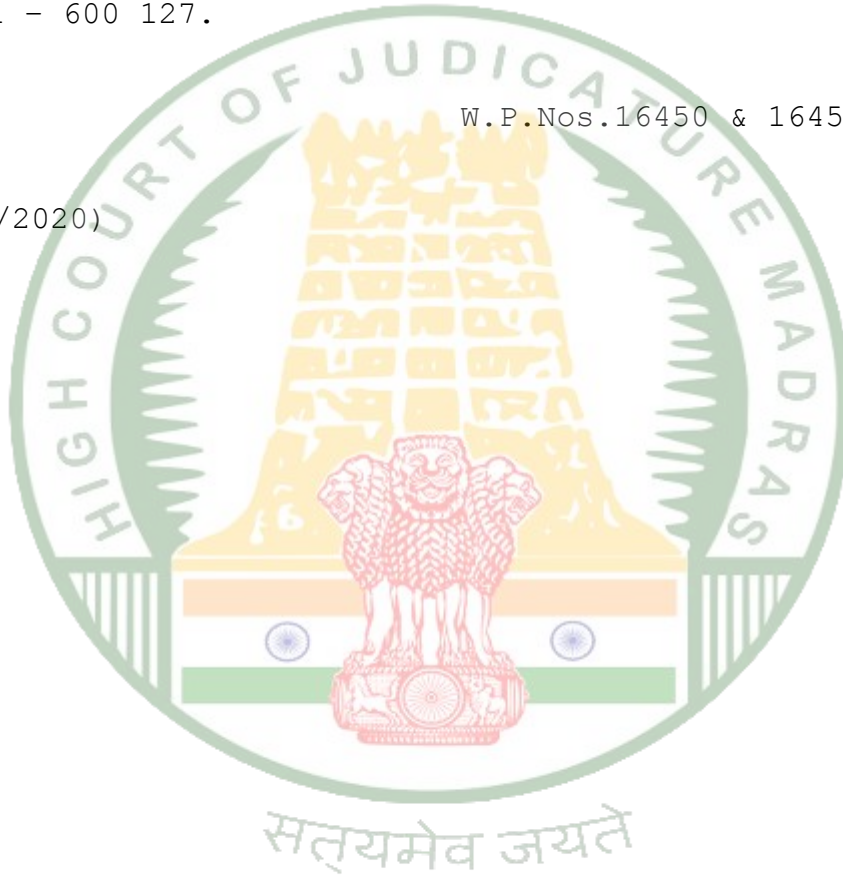
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SVI (CO)
GMY (20/10/2020)



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