



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.No.12571 of 2008 &
MP.Nos. 1 and 2 of 2011
MP. 2 and 3 of 2008

Sri Ramajayam Construction
represented by its Managing Partner
E.Senthil Kumar
45 A, Cuddalore-Chittoor Road,
Polur 606 803,
Thiruvannamalai District

...Petitioner

Vs.

1. The Chief Engineer,
Highways Department,
Govt. of Tamilnadu,
Chepauk, Chennai 600 005.
2. The Superintending Engineer,
Highways Department,
Govt. of Tamilnadu,
Villupuram Circle,
No.4, Chairman Govindasamy Street,
Shanmugapuram, Villupuram.
3. The Divisional Engineer,
Highways Department,
Villupuram Division,
Villupuram.
4. M/s.T.S.R.Constructions,
rep.by its Managing Partner
R.Jeevanandam,
No.38, Big Street,
Thiruvannamalai.

...Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of certiorarified Mandamus to call for the records of the 2nd respondent, in respect of the Articles of Agreement under Ref: TRP No.94/2005-2006/Va.Aa - DR



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No.CE/97/2005-2006, LS Agreement No. /2006-07, dated 5.12.2006 issued for Item No.6 relating to Widening and Improvements to major District Roads in Gingee (highways) Sub Division Pennathur - Chetpet Road - Km.18/0-26/9" as contained in Tender Notification under Ref: O.A.13/2005-2006/Tha.Va.Aa dated 27.6.2005 culminating in the impugned proceeding Sa.Mu.Ka.No.97/2005-06/Aa3 dated 31.03.2008 and Va.Ka.No.97/2005-2006/Aa 3 dated 30.4.2008 resulting in the Termination of the Articles of Agreement under Ref: TRP No.94/2005-2006/Va.Aa - DR No.CE/94/2005-2006, LS Agreement No. /2006-07 dt.5.12.2006 resulting in a fresh Tender Notice No.4/2008-2009/HDO dt.5.5.08 and quash the same as illegal, arbitrary and direct the respondents 1 to 3 herein to consider revision in the rates due to escalation in the cost of materials, as sought for by the petitioner's firm vide its representations dt. 27.7.07 and 14.5.2008 for effectual execution of the Articles of Agreement under Ref: TRP No.94/2005-2006/Va.Aa - DR No.CE/97/2005-2006, LS Agreement No. /2006-07 dt.5.12.2006 in accordance with law and in accordance with the Agreement dt.5.12.2006.

For Petitioner : Mr.R.Thiagarajan

For Respondents : Mr.G.Krishnaraja,
Govt. Advocate
for R1 to R3.

O R D E R

Today, when the matter was taken up for consideration, the learned counsel for the petitioner, on instructions, submitted that the relief sought for herein has become infructuous and hence, nothing survives for adjudication in this writ petition.

2. In view of the above submission made by the learned counsel for the petitioner, this Writ Petition is dismissed as having become infructuous. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar



1. The Chief Engineer,
Highways Department,
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Chepauk, Chennai 600 005.
2. The Superintending Engineer,
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Govt. of Tamilnadu,
Villupuram Circle,
No.4, Chairman Govindasamy Street,
Shanmugapuram, Villupuram.
3. The Divisional Engineer,
Highways Department,
Villupuram Division,
Villupuram.

+1 cc to Mr.R.Thiagarajan,Advocate Sr.No.28613.
+1 cc to Government Pleader,Sr.No.28516.

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GPL[co]
NSK 29/07/2021