

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MS.JUSTICE R.N.MANJULA

W.A.No.1188 of 2018
and C.M.P.No.9514 of 2018

M/s.The Indian Hume Pipe Co. Ltd.,
Rep. by its Deputy General Manager,
S.Arunachalam,
No.8, First Street, Gopalapuram,
Chennai - 600 086.

.. Appellant

Vs

- 1.The Government of Tamil Nadu
Rep. by its Additional Chief Secretary,
Finance (Salaries) Department,
Fort St.George, Chennai.
- 2.The Managing Director,
TWAD Board, Chennai - 600 005.
- 3.The Joint Managing Director,
TWAD Board, Chennai - 600 005.
- 4.The Chief Engineer,
TWAD Board, Western Region,
Coimbatore.
- 5.The Executive Engineer,
TWAD Board,
RWS Division, Tiruppur.

.. Respondents

Appeal filed under Clause 15 of the Letters Patent against
the order dated 16.04.2018 made in W.M.P.No.2824 of 2018 in
W.P.No.2307 of 2018.

W.M.P. 2824/2018:

Writ Miscellaneous Petition is filed to grant an order of
interim stay of the operations and all further proceedings of
the impugned Government order passed by the 1st respondent in

G.O.Ms.No.296 Finance (Salaries) Department dated 09.10.2017 and the consequential impugned order passed by the 2nd respondent in Letter No.F.Circular/ SDO IV /Com/2017 dated 13.11.2017 and the consequential impugned order passed by the 3rd respondent in Lr.No.F.81171/ Audit/ SDO I/COM/2017 dated 19.12.2017 pending W.P. No. 2307/2018.

Prayer in W.P. No. 2307/2018:

Writ Petition filed under Article 226 of the Constitution of India, to issue an order or orders or directions or Writs in the nature of Writ of Certiorarified Mandamus calling for the records relating to the impugned Government Order passed by the 1st respondent in G.O.Ms.No.296 Finance (Salaries) Department dated 09.10.2017 and the consequential impugned order passed by the 2nd respondent in Letter No.F.Circular/ SDO IV /Com/2017 dated 13.11.2017 and the consequential impugned order passed by the 3rd respondent in Lr.No.F.81171/Audit/SDO I/COM/2017 dated 19.12.2017 and quash the same as illegal arbitrary and without jurisdiction in so far as the work awarded to the petitioner namely providing improvements to water supply distribution in Tiruppur District by work order No.F.Tiruppur WSIS /SDO(T3)/CE/CBE/2017 dated 16.06.2017 and for a consequently directing the respondents to make payment of the outstanding due payable to the petitioner as per the agreement/terms and conditions of bid document and in compliance of B.P.Ms.No.23 dated 31.03.2017 issued by the 2nd respondent within a time frame to be fixed by this Hon'ble court with interest at the rate of 12% p.a. and with costs.

For Appellant : Mr.P.V.Sudakar

For Respondents : Mr.R.Udhayakumar,
Additional Government Pleader
for R1
Mr.Arokiyaraj for R2 to R4

JUDGMENT

(Delivered by M.M.SUNDRESH, J.)

This writ appeal is directed against the order dated 16.04.2018 passed in W.P.No.2307 of 2018.

2. When the matter is taken up for hearing, learned counsel appearing for the appellant submitted that the main writ petition itself has been disposed of and therefore, nothing survives for adjudication.

3. In view of the submission made by the learned counsel for the appellant, the writ appeal is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1. The Additional Chief Secretary,
Finance (Salaries) Department,
Fort St. George, Chennai.
 2. The Managing Director,
TWAD Board, Chennai - 600 005.
 3. The Joint Managing Director,
TWAD Board, Chennai - 600 005.
 4. The Chief Engineer,
TWAD Board, Western Region, Coimbatore.
 5. The Executive Engineer,
TWAD Board, RWS Division, Tiruppur.
- +1 CC to Mr. B. Raveendran, Advocate sr 26101.

W.A.No.1188 of 2018

SMI (CO)
SP (12/07/2021)

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