



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 27810 of 2011

and

M.P.No.2 of 2011

Thiru.A.Kandasamy

... Petitioner

Vs.

1. The Superintendent Engineer (High Ways),
Villupuram, Villupuram District.

2. The Executive Engineer (Thadco),
Villupuram, Villupuram District.

3. The Manager,
Indian Bank, Villupuram Main Branch.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the 1st respondent's proceedings No.80/2007/VA2 dated 07/12/2007 and quash the same and consequently direct the 1st respondent to renew the petitioner First Class Contract afresh on the petitioner's representation dated 25/07/2011.

For Petitioner : Mr.R.Karunakaran

For Respondents : Mr.M.Rajendran
Special Government Pleader
[For R1]

Mr.M.L.Mahendran
[For R2]

Mr.V.Ravi
[For R3]

O R D E R

The order dated 07.12.2007, cancelling the registration of the petitioner as Contractor is under challenge in the present writ petition.

2. The order impugned states that the petitioner was



provided with an opportunity to restore the licence till 31.10.2007. However, the petitioner had not initiated any steps for renewal of the licence and therefore, the authorities cancelled the registration on permanent basis. However, an opportunity was provided to the writ petitioner to file an application for fresh registration after a period of one year from the date of passing of the order. The petitioner has chosen to file the present writ petition in the year 2011.

3. This Court is of the considered opinion that the impugned order is of the year 2007 and that was challenged in the year 2011, after a lapse of 4 years. Thus, the writ petition itself is liable to be rejected on the ground of laches. However, the respondents have stated that the petitioner is at liberty to submit an application for grant of licence after a period of one year. Now that 14 years lapsed.

4. This being the factum, the petitioner is at liberty to submit a fresh application, if he is otherwise eligible and in the event of filing any such application, the same may be considered by the competent authorities by following the procedures as contemplated under law.

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent Engineer (High Ways),
Villupuram, Villupuram District.
2. The Executive Engineer (Thadco),
Villupuram, Villupuram District.
3. The Manager,
Indian Bank, Villupuram Main Branch.

+1cc to Mr.R.Karunagaran, Advocate, S.R.No.62750

+1cc to the Government Pleader, S.R.No.63465

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PM(CO)

CT 10/12/2021