

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE ABDUL QUDDHOSE

W.P.Nos.23388 and 23389 of 2015
and M.P.Nos.1 and 1 of 2015

M/s.Calcutta Welding and Lifting Co.,
Partnership Firm, represented by its Partner,
Mr.Yousuf Taher Jamnagarwala,
No.124, Broadway,
Chennai 600 108 ...Petitioner in W.P.No.23388 of 2015

M/s.Vidhya Enterprises,
A Partnership Firm, Rep by its Partner,
No.59C, SIDCO North Phase,
8th Street, Ambattur,
Chennai 600 098 ... Petitioner in W.P.No.23389 of 2015

Vs

1. The Managing Director,
Chennai Metro Rail Ltd.,
CMRL Depot, Admin Building,
Poonamallee High Road,
Koyambedu, Chennai 600 107.
2. M/s.MosMetro India Pvt.Ltd.,
Having its Registered Office at
ASV Adarsh Building, 3rd Floor,
Block - C, No.719, Pathari Road,
Chennai 600 002.
3. M/s.Gammon-OJSC MOSMETROSTROY (JV),
ASV Adarsh Building, 3rd Floor,
Block - C, No.719, Pathari Road,
Chennai 600 002.
4. M/s.OJSC - Mosmetrostroy,
Q-1-06-55/C, P.O.Box 122730,
Sharjah, United Arab Emirates ...Respondents in both W.Ps

Prayer in W.P.No.23388 of 2015: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, directing the first respondent to settle the dues of the petitioner amounting to Rs.16,54,380/- towards supply of

safety materials for the ongoing Metro Rail Project.

Prayer in W.P.No.23389 of 2015: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, directing the first respondent to settle the dues of the petitioner amounting to Rs.21,40,593/- for the supplies made for the ongoing Metro Rail Project on the basis of invoices duly certified by the 1st and 3rd respondents from and out of dues payable to the 2nd and 3rd respondents.

For Petitioner : M/s.Ramalingam Associates

For Respondent-1 : Mr.Jayesh B.Dolia

For Respondent-3 : Mr.S.Giritharan

ORDER

The matter is listed under the caption "for dismissal", today. On 01.02.2021, the learned counsel for the petitioner submits that he has given change of vakalat to the petitioner. After recording the submission made by the learned counsel for the petitioner on 01.02.2021, the matter was once again directed to be listed under the caption "for dismissal" today. Today, there is no representation on the side of the petitioner nor the petitioner appeared in person. Therefore, it can now be inferred that the petitioner is not interested in prosecuting the Writ Petition. Accordingly, the Writ Petition is dismissed for non prosecution. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

srn

To

The Managing Director,
Chennai Metro Rail Ltd.,
CMRL Depot, Admin Building,
Poonamallee High Road,
Koyambedu, Chennai 600 107.

W.P.Nos.23388 and 23389 of 2015
and M.P.Nos.1 and 1 of 2015

AJS (CO)
CB(05/03/2021)