



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2021
CORAM

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.40196 of 2016

M/s.Roman Tarmat Limited,
Represented by its General Manager,
Mr.N.V.Natarajan,
Door No.6, Plot No.60,
15th Cross Street, TANSI Nagar,
Velachery,
Chennai- 600 042.

...Petitioner

Vs

The Executive Director,
Tamil Nadu Road Infrastructure
Development Corporation,
4th Floor, LLA Building,
735, Anna Salai,
Chennai-600 002.

...Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to forthwith the sum of Rs.3,10,00,000/- being the amount payable by the respondent to the petitioner for the execution of the (ii) work of improvements (4 lanning) to Singaperumal Koil - Sriperumbudur Road (S.H.57) Km o/o-Km 12/6 package 1; & (ii) work of improvements (four lanning) of Vandallur-Wallajabad (SH-48) km 47/0 - 63/8 package IV, covered under the Agreements dated 30.06.2008 entered into between the petitioner and the respondent, to the petitioner, consequent upon expiry of the defect liability period of five years from 28.04.201, within a time limit that may be fixed by this Hon'ble Court.

For Petitioner :Mr.M.Arikarasudan
For Respondent :Mr.D.Balaraman

O R D E R

The relief sought for reveals that it is a contractual obligation between the parties. Settlement of amount as sought for is to be done based on the terms and conditions of the contract. Such disputes cannot be adjudicated in a writ proceedings by the High Court. Thus, the parties are bound to resolve the issues before the competent forum.



2. This being the factum, the learned counsel for the petitioner states that the parties have already went for arbitration and seeks permission to withdraw the writ petition.

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3. In view of the above, no further adjudication is required in this writ petition. Accordingly, the writ petition stands disposed of as withdrawn. No Costs.

s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

nti/ars
To

The Executive Director,
Tamil Nadu Road Infrastructure
Development Corporation,
4th Floor, LLA Building,
735, Anna Salai,
Chennai-600 002.

+1 CC to Mr.B. Hari Krishnan, Advocate sr 52296.

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SSV(CO)
SP(28/10/2021)