



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.29274 OF 2014

AND

M.P.NO.1 OF 2014

M.Ravindran
Proprietor,
M/s.Subbalakshmi Engineering Works,
Plot No.80, SIDCO Industrial
Estate, Ranipet - 3,
Vellore District.

...Petitioner

Vs

1. The Executive Director,
Bharath Heavy Electricals Ltd., (BHEL)
Boiler Auxiliaries Plant,
Ranipet - 6,
Vellore District.

2. K.Nakiran

... Respondents

PRAYER :

Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to claim the amounts, if any due to them from the 2nd respondent abovenamed by forwarding necessary account statements to him.

For Petitioner : Mr.B.Harish
For M/s.G.Rangarajan

For Respondents R1 : Mr.A.V.Arun
R2 : Mr.E.Sathiyaraj

O R D E R

The relief sought for in the present writ petition is to direct the 1st respondent to claim the amounts, if any due to them from the 2nd respondent by forwarding necessary account statements to him.



2. The prayer sought for is absurd. The petitioner himself is not clear about the prayer, in view of the fact that it is stated that a direction is to be issued against the first respondent to claim the amounts, if any due to them. Whether there was any due or not, that itself is not clarified by the petitioner. Even in such case, it is a contractual obligation, which is to be adjudicated before the proper forum. High Court cannot adjudicate such disputed facts in a writ proceedings. The petitioner claims that the statements are to be forwarded. Verification of account statements or other relevant documents are to be considered by the competent forum or authority for the purpose of forming an opinion. Such an exercise cannot be done by the High Court. This being the factum, the petitioner is at liberty to approach the competent authority or forum for the purpose of adjudication of disputed issues in the manner known to law.

3. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kak

To

The Executive Director,
Bharath Heavy Electricals Ltd., (BHEL)
Boiler Auxiliaries Plant,
Ranipet - 6,
Vellore District.

+1cc to M/s.G.Rangarajan, Advocate, S.R.No.50939
+1cc to M/s.E.Sathiyaraj, Advocate, S.R.No.51189

W.P.No.29274 of 2014

KK (CO)
PM/11/10/2021