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W.P.No.15483 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.15483 of 2014
and M.P.Nos.1 to 3 of 2014

M/s.IVRCL Ltd.,
Formerly known as
IVRCL Infrastructure and Project Limited,
Represented by its Authorised Signatory,
Mr.S.Ansari,
Having its Regd. Office at M-22/3RT,
Vijayanagar Colony, Hyderabad - 500 057. .. Petitioner

Vs.

1. Government of Puducherry,
represented by its Chief Secretary,
Chief Secretariat, Puducherry.
2. The Project Director,
Project Implementation Agency,
(A registered Society sponsored Government of Puducherry),
Emergency Tsunami Reconstruction Project,
Perunthalaiver Kamaraj Centenary Education Complex,
Vth Floor, Anna Nagar, Nellithope,
Puducherry - 605 005. .. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records on the file of the 2nd respondent pertaining to the Notice dated 06.06.2014 in



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proceedings bearing No.1408/PW/CE/EE(P)2/FIV-1(WB)2013-14 and quash the same and consequently direct the second respondent to supply the expert committee findings and the CBI report relied upon and referred to in the show cause notice dated 23rd May, 2014 to the petitioner and to grant four weeks time thereafter to submit reply and hold personal hearing before passing final orders in accordance with law.

For Petitioner : Mr.J.Ravikumar

For Respondent 1 : Mrs.G.Djeyarany
Government Advocate (Pondy)

For Respondent 2 : Mr.R.Udhayakumar

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ORDER

This writ petition has been filed challenging the show cause notice issued by the second respondent dated 06.06.2014, to blacklist and ban the petitioner from business dealings in the Union Territory of Puducherry for its commissions and omissions in execution of the Kalapet project work and further seeks a direction to the second respondent to supply the expert committee findings and the CBI report relied upon by them.

2. The petitioner has been awarded contract to construct Tsunami buildings. According to the petitioner, he constructed the buildings and handed over the same. Thereafter, on the basis of some Expert Committee



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report, show cause notice has been issued. The said show cause notice has been impugned in this writ petition mainly on the ground that the second respondent has issued the show cause notice mainly relying upon the report of the Expert Committee and the report of the CBI and directed the petitioner to submit his reply within four weeks.

3. Now, the learned counsel appearing for the petitioner would submit that a copy of the Expert Committee findings and the CBI report has already been received by the writ petitioner and therefore he seeks time to give his reply to the show cause notice.

4. Such view of the matter, the petitioner is granted three weeks time from the date of receipt of a copy of this order to file his reply to the show cause notice. On receipt of the reply, it is well open to the respondents to consider the same after giving a personal hearing to the petitioner and pass orders on merits and in accordance with law. With the above direction, this writ petition is disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.

09.11.2022

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To

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Government of Puducherry,
Chief Secretariat, Puducherry.
2. The Project Director,
Project Implementation Agency,
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Emergency Tsunami Reconstruction Project,
Perunthalaiver Kamaraj Centenary Education Complex,
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N.SATHISH KUMAR, J.

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