



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2022

CORAM

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.NO.9682 OF 2017

AND

W.M.P.NO.10652 OF 2017

R.Shenbagavalli
Proprietrix
M/s.ASKRS Solutions,
No.7, II Floor,
Sakthi Complex,
Kalpakkam 603 102
Rep. by her Power Agent
S.Ravichandran

...Petitioner

Vs

1. The Director,
Indira Gandhi Centre for Atomic Research,
Kalpakkam 603 102.
2. The Director,
Metallurgy and Materials Group,
Kalpakkam 603 102.

... Respondents

Prayer Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Certiorarified Mandamus, to call for the records of the order passed by the first respondent dated 26.11.2015, vide letter No.Dir 2015/421 and an order vide letter No.IGCAR/WP2846/2016/Admn (O&M) / 1593 dated 07.10.2016 and quash the same as illegal, without jurisdiction and void and consequently direct the first respondent to permit the petitioner to complete the remaining work as per the work order.

For Petitioner	:	Mr.Muthukumar for M/s.Paul and Paul
For Respondents	:	Mr.A.Kumaraguru Senior Central Government Standing Counsel



ORDER

This Writ Petition has been filed for the issuance of Writ of Certiorarified Mandamus, to call for the records of the order passed by the first respondent dated 26.11.2015, vide letter No.Dir 2015/421 and an order vide letter No.IGCAR/WP2846/2016/Admn (O&M) / 1593 dated 07.10.2016 and quash the same as illegal, without jurisdiction and void and consequently direct the first respondent to permit the petitioner to complete the remaining work as per the work order.

2. When the matter is taken up for hearing on 29.11.2021, this Court passed the following orders:

"On 21.01.2020, this Court passed an order and it is recorded that the learned counsel for the petitioner submitted that the respondent agreed to pay a sum of Rs.40 lakhs towards full and final settlement. However, the learned counsel for the respondents submitted that the respondent agreed only to the extent of Rs.36,45,357/- and the deduction of Rs.3,91,000/- were made and after deducting the amount, a sum of Rs.32,53,913/- have already been paid by the respondents and the petitioner also accepted the same.

2. Now the dispute is only to the extent of a sum of Rs.3,54,643/-. It appears from the records of this Court that the respondent initially agreed for Rs.40 lakhs, however, subsequently he stated that the amount payable is only 36,45,357/- based on the records and after the measurement.

3. After hearing both the parties, this Court feels that it is the stage to give quietus to the matter. The dispute is only for a sum of Rs.3,40,000/-. Therefore, this Court suggested a sum of Rs.2,25,000/- towards full and final settlement and for which both the counsels agreed.

4. Accordingly, this Court directs the respondents to pay a sum of Rs.2,25,000/- to the petitioner towards full and final settlement.

5. Post on 22.12.2021, for 'Reporting Compliance'."

3. Subsequent to the above order, when the matter is taken up for hearing today, the learned Senior Central Government Standing Counsel appearing for the respondents submitted that a



sum of Rs.2,25,000/- (Two Lakhs Twenty Five Thousand Only) was transferred by the respondents to the petitioner by way of RTGS. In this regard, he showed the receipt through video conference.

4.In reply, the learned counsel for the petitioner fairly submitted that the statement of the learned Senior Central Government Standing Counsel for the respondents may be recorded and the petition may be closed.

5.Recording the submission made by the learned Senior Central Government Standing Counsel appearing for the respondents, this Court is of the view that nothing survives in the present Writ Petition for further adjudication. Hence, the Writ Petition is dismissed. No Costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Director,
Indira Gandhi Centre for Atomic Research,
Kalpakkam 603 102.
2. The Director,
Metallurgy and Materials Group,
Kalpakkam 603 102.

+1cc to M/s.Paul and Paul, Advocate, S.R.No.5481

+1cc to Mr.A.Kumaraguru, Advocate, S.R.No.5349

W.P.No.9682 of 2017
and W.M.P.No.10652 of 2017

PMK(CO)
RLP(08/02/2022)