



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 21.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P (MD) No.8696 of 2009

and

M.P (MD) Nos.1,2 and 3 of 2012

James Memorial Charitable Trust,
Colachel and P.O - 629251,
Kanyakumari District,
representation by its Managing Trustee,
Dr.J.Premkumar

... Petitioner

Vs

The Project Director,
and Member Secretary,
Tamil Nadu State AIDS Control Society,
417 Pantheon Road,
Egmore, Chennai - 600 008.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, to call for the entire records pertaining to the order passed by the respondent in proceedings No.006265/AIDS/CCC/A5/2009, dated 20.08.2009 and quash the same as illegal and consequently directing the respondent to continue the project.

For Petitioner	: No appearance
For Respondent	: Mr.K.K.Senthil for M/s.R.Rathna Thara

ORDER

This writ petition is filed as against the order cancelling the contract of this petitioner for providing treatment to the HIV patients.

2.The respondent entered into an agreement with the petitioner in the year 2009 and for violation of certain terms of the contract, a show cause notice was issued and the contract itself was terminated by order dated 20.08.2009. As against the same, the present writ petition is filed.



3. There is no representation for the petitioner. Learned Counsel for the respondent submitted that if the petitioner is aggrieved by the order, he is having a remedy by referring the matter for arbitration, as per Clause 8 of the agreement.

4. During the last hearing, the learned Counsel for the petitioner sought time to get instruction. However, today there is no representation for the petitioner.

5. This writ petition is filed in the year 2009 and no purpose would be served by keeping the writ petition pending any more. Therefore, this writ petition is dismissed with liberty to the petitioner to work out his remedy by invoking Clause 8 of the agreement. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dsk

To

The Project Director,
and Member Secretary,
Tamil Nadu State AIDS Control Society,
417 Pantheon Road,
Egmore, Chennai - 600 008.

+1 CC to M/s.C. ROBERT BRUCE, Advocate (SR-20329[F]
dated 22/04/2022)

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CK (CO)
GC (09.06.2022) 2P 3C