



W.P(MD)Nos.7541 and 7556 of 2012

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.07.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)Nos.7541 and 7556 of 2012

and

M.P(MD)Nos.1 and 1 of 2012

M/s.P & C Constructions (P) Ltd.,
Represented by its Executive Director,
P&C Towers,
No.140, Perundurai Road,
Erode-638 011.

... Petitioner
(In both cases)

Vs.

The Commissioner,
Madurai Municipal Corporation,
Madurai.

... Respondent
(In both cases)

PRAYER IN W.P(MD)No.7541 of 2012: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in his proceedings JnS2/04158 (III) 2008-3 dated 04.04.2012 and quash the same as illegal and without jurisdiction and consequently directing the respondent to pay the final payments payable to the petitioner on completion of Second Vaigai



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Water Supply improvement Scheme to Madurai Municipal Corporation - Improvements Works and System Improvement - Package - III within a time frame fixed by this Court with 12% interest on the basis of the representation dated 07.02.2012.

PRAYER IN W.P(MD)No.7556 of 2012: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in his proceedings JnS2/04158 (I) 2008-1 dated 04.04.2012 and quash the same as illegal and without jurisdiction and consequently directing the respondent to pay the final payments payable to the petitioner on completion of Second Vaigai Water Supply improvement Scheme to Madurai Municipal Corporation - Improvements Works and System Improvement - Package - I within a time frame fixed by this Court with 12% interest on the basis of the representation dated 07.02.2012.

For Petitioner : Mr.D.Kirubakaran (In both cases)

For Respondent : Mr.R.Murali (In both cases)

ORDER

This present writ petition has been filed challenging an order passed by the respondent herein, in which the dues claimed by the writ



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petitioner for construction activities pursuant to a works contract was rejected.

2. Now, the learned counsel for the petitioner submits that arbitration proceedings have been initiated and he will work out his remedies in the said arbitration proceedings. The statement is recorded. This Writ Petition is disposed of with liberty to the petitioner to pursue the arbitration proceedings, which have already been initiated. No costs. Consequently, connected Miscellaneous Petitions are closed.

06.07.2022

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Index : Yes / No
Internet : Yes / No

To

The Commissioner,
Madurai Municipal Corporation,
Madurai.

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R.VIJAYAKUMAR ,J.

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Order made in
W.P(MD)Nos.7541 and 7556 of 2012

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06.07.2022