



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Twenty Fifth day of July Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

WMP(MD) No.4764 of 2016

IN

WP(MD) No.18471 of 2013

WEB COPY

M/S.PREMIER CAR SALES LTD
9, SHAHNAJAF ROAD, LACKNOW,
THROUGH IT AUTHORIZED SIGNATORY AND PUDUKOTTAI TOLL
PLAZA IN-CHARGE SHRI ANUPSINGH.

... PETITIONER/PETITIONER

Vs

1 THE NATIONAL HIGHWAYS
AUTHORITY OF INDIA, G-5&6,
SECTOR-10, DWARKA,
NEW DELHI-110075

2 THE GENERAL MANAGER
COMMERCIAL OPERATIONS,
THE NATIONAL HIGHWAYS AUTHORITY OF INDIA,
G-5&6, SECTOR-10, DWARKA,
NEW DELHI-110075

3 M/S.INDERDEEP CONSTRUCTIONS CO,
REP BY ITS AUTHORIZED PERSON P.SARAVANAN,
1ST FLOOR KESTRAL PRIDE, HIRA GHAT,
ULHASNAGAR-421003 THANE DISTRICT

... RESPONDENTS/RESPONDENTS

(R3 IMPEADED AS A PARTY RESPONDENT AS PER
VIDE COURT ORDER DATED 27/11/2013 IN MP(MD) 5/2013)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a Writ of Certiorarified mandamus or any other order or direction in the nature of a writ calling for the records pertaining to the Proceedings of the 2nd respondent, dated 14.11.2013, in No.NHAI/CO/Legal/Tirunelveli-Tuticorin/45842, and quash the same and further direct the respondents to refund the Bank Guarantee amount of Rs.3,19,46,310/- at HDFC Bank, Luck now Branch, furnished by the petitioner to the respondent - 1 and 2 at the time of the initiation of the contract.

Prayer in WP(MD) No.18471 of 2013:

To issue a Writ of Certiorarified Mandamus or any other order or direction in the nature of a writ calling for the records pertaining to the proceedings of the 2nd respondent dated 14.11.2013 in NO.NHAI/CO/Legal/Tirunelveli-Tuticorin/45842, and quash the same and further direct the respondent to extend the contract for such period after the expiry of the date mentioned in the contract so as to allow full term to the petitioner.



ORDER : This petition coming up for orders on this day, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.D.GNANASEKARAN, Advocate for the petitioner, the court made the following order:-

The present writ petition has been filed challenging the cancellation of toll fee collection contract during the subsistence of the contract period.

2. Pending writ petition, the petitioner has filed W.M.P(MD) No.4764 of 2016 seeking permission of this Court to amend the writ petition so as to include a consequential prayer that the respondents may be directed to refund the Bank Guarantee amount furnished by the petitioner at the time of initiation of contract. The amended prayer being consequential in nature to the main prayer, already sought for, this Court is satisfied with the reasons stated in the affidavit, this Miscellaneous Petition stands allowed.

3. The respondents are directed to file their counter to the amended prayer.

4. Post W.P(MD)No.18471 of 2013 on 10.08.2022.

sd/-

25/07/2022

/ TRUE COPY /

/08/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE NATIONAL HIGHWAYS
AUTHORITY OF INDIA, G-5&6,
SECTOR-10, DWARKA,
NEW DELHI-110075

2 THE GENERAL MANAGER
COMMERCIAL OPERATIONS,
THE NATIONAL HIGHWAYS AUTHORITY OF INDIA,
G-5&6, SECTOR-10, DWARKA,
NEW DELHI-110075

ORDER

IN

WMP(MD) No.4764 of 2016

IN

WP(MD) No.18471 of 2013

Date :25/07/2022

RK/PN/SAR-IV/01.08.2022/2P/3C

<https://www.mhc.tn.gov.in/judis>