



WP(MD)No.5655 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.5655 of 2020

Shri Avantika Contractors (I) Limited,
Rep. By its Manager,
M.L.Paranay Kumar Reddy.

... Petitioner

/Vs./

1.Union of India,
Ministry of Housing and Urban Affairs,
Rep by its Secretary,
No.122-C, Nirman Bhawan,
New Delhi.

2.M/s.National Buildings Construction Corporation Ltd,
Rep by its Chairman, NBCC Place,
Pragati Vihar, Bhisma Pitamah Marg,
New Delhi-110003.

3.M/s.National Buildings Construction Corporation Ltd,
Rep by its General Manager, CISF Works,
Amaravati Pudur, Karaikudi,
Sivagangai District-630 031.

4.The Deputy Inspector General (Works),
CISF South Zone Headquarters,
Chennai-600 090.

... Respondents



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PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring the action of the respondents in levying liquidated damages after successful completion of Defect Liability period without affording an opportunity to writ petitioner as arbitrary, illegal, unconstitutional, violation of the principles of natural justice, principals audi alteram partem and in violation of the fundamental rights of the petitioner more particularly Article 14, 19(1)(g), Article 21 and 300A of the Constitution of India and consequently forbear the respondents from imposition of levy of liquidated damages and further directing the respondents 2 to 4 to pay the final bill submitted by the writ petitioner.

For Petitioner : No appearance

For Respondents : Mr.S.Karthik (R1 & R4)

Standing Counsel

Mr.R.Suriyanarayanan (R2 & R3)

ORDER

When the matter came up for hearing on 23.08.2023, the learned counsel for the petitioner reported no instructions and hence a direction was given to the registry to issue notice to the petitioner. Accordingly, notice has also been issued on the petitioner. Even today, there is no representation on the side of the petitioner.



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2. In view of the above, this writ petition is dismissed for non-prosecution. No costs.

04.10.2023

NCC : Yes/No
Internet :Yes/No
Index :Yes/No
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N.ANAND VENKATESH, J.

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Order made in
W.P.(MD)No.5655 of 2020

Dated:
04.10.2023