



W.P.(MD)Nos.20982 to 20989 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)Nos.20982 to 20989 of 2016

and

W.M.P.(MD)Nos.14985 to 15000 of 2016

W.P.(MD)No.20982 of 2016

M/s.Sri Ayyappan Construction,
No.34, Mangai Valagham,
Uma Nagar, 4th Cross,
M.C.Road, Thanjavur,
Rep. by its Managing Partner,
M.Ayyappan

... Petitioner

versus

1. The Superintending Engineer,
Highways Department (C&M),
D.No.1653, Highways Compound,
Tiruchirappalli – 20.

2. The Divisional Engineer,
Highways Department (C&M),
Panagal Building,
Thanjavur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed in Proc.No. 189/2014-15/A2 dated 26.08.2016 on the file of the 2nd respondent, quash the same and direct the respondents to refund the amount already adjusted to the petitioner.

For Petitioner : No appearance

For Respondents : Mr.M.Sarangan,
Additional Government Pleader

COMMON ORDER

The petitioners are Class-I Contractors under the Highways Department. They have participated in the tender called for by the Highways Department for the road works in the year 2014 and they were also issued with work orders. Pursuant to the same, the petitioners have completed their works in the year 2016 and the respondents have also paid the final bill amount to the petitioners after deducting certain amount for price variation. While so, the 2nd respondent has passed impugned orders for recovery of the price variation amount. Challenging the same, the present writ petitions have been filed.



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2. When these writ petitions are taken up for hearing on 06.12.2023, there was no representation for the petitioners. Therefore, the Registry was directed to list all these cases today under the caption “For Dismissal”. Even today, there is no representation for the petitioners.

3. The learned Additional Government Pleader appearing for the respondents has produced the written instructions and submits that the price variation amounts as demanded by the 2nd respondent have also been paid by the petitioners.

4. Recording the said submission, these writ petitions are closed. No costs. Consequently, connected miscellaneous petitions are closed.

08.12.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.

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B.PUGALENDHI, J.

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To

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