



WP(MD)No.10706 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.10706 of 2017

and

WMP(MD)No.8168 of 2017

S.Sivaraman

.. Petitioner

v.

1.The General Manager,
BSNL,
Bibikulam,
Madurai – 625 002.

2.The Deputy General Manager,
Cable Fixed Access,
Bibikulam,
Madurai – 625 002.

3.The Deputy General Manager,
Finance & Accounts,
Bibikulam,
Madurai – 625 002.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
seeking issuance of a Writ of Certiorarified Mandamus calling for the



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records relating to the proceedings of the second respondent in

PC1-3-20/TENDER/LEGAL/NOTICE/S.SIVARAMAN/2014-15/27

[Dt@Ma-2](#) the 28.01.2017 and

PC1-3-20/TENDER/LEGAL/NOTICE/S.SIVARAMAN/2014-15/27

[Dt@Ma-2](#) the 10.02.2017, quash the same and consequently, directing the respondents to pay the bills with interest at the rate of 18% per annum from the date of bill until it is paid.

For Petitioner : No appearance

For Respondents : Mr.K.Govindarajan

ORDER

The petitioner is said to have executed certain works for the respondents BSNL Corporation and he has also submitted a representation that the payments have not been settled for the works executed by him. He has also filed a writ petition before this Court in WP(MD)No.21176 of 2014 for a mandamus directing the respondents to consider the representation. This Court, by order dated 23.12.2014, directed the respondents to consider and pass orders on the representation of the petitioner. Accordingly, the



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representation of this petitioner dated 31.10.2014 was disposed of, rejecting the request. Challenging this order of rejection dated 10.02.2017, the petitioner has filed the present writ petition.

2. When the writ petition came up for hearing on 29.11.2023, learned Counsel for the respondents submitted that if the petitioner is having a grievance with regard to the payments made for the works executed by him, as per the terms of agreement, the petitioner has to invoke the arbitration proceedings. At that juncture, the petitioner's Counsel sought for an adjournment and accordingly, the matter was directed to be listed on 08.12.2023. However, there was no representation for the petitioner on 08.12.2023. Therefore, the matter was directed to be listed under the caption 'for dismissal'.

3. Even today, there is no representation for the petitioner.

4. In view of the above position, by recording the submission made by the respondents' Counsel that the petitioner is having a remedy of



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B.PUGALENDHI, J.

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arbitration as per the terms of agreement, this writ petition is disposed of with a liberty to the petitioner to work out his remedy by invoking the arbitration proceedings. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes
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14.12.2023

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