



W.P.No.9577 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.9577 of 2024

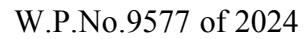
Janbal Constructions,
Represented by its Partner,
Mr.P.N.Balasubramaniam,
Son of C.Natarajan,
No. 13/2, Pari Street,
Teachers Colony,
Erode – 638 011.

... Petitioner

Vs.

1. Southern Railway,
Represented by its General Manager,
Headquarters Office, Park Town,
Chennai – 600 003.
2. The Principal Chief Engineer,
General Manager Office,
Southern Railway, George Town,
Chennai – 600 003.
3. The Sr.DEN/Co-ordination,
Office of the Divisional Manager/Works,
Tiruchirapalli.
4. The Divisional Railway Manager,
Tiruchirapalli Division, Southern Railway,
Thiruchirapalli.

... Respondents





W.P.No.9577 of 2024

2. The petitioner is a construction Company, admittedly, entered into an agreement with the Southern Railway. Such contractual obligation between the parties do not provide a cause for filing the writ petition.

3. In the present case, the petitioner has to either resolve the issues if any remedy is contemplated under the agreement or approach the competent Civil Court of law.

4. However, such disputed issues relating to a contract cannot be adjudicated in a writ proceedings under Article 226 of constitution of India.

5. Mr.K.Srinivasamurthy, learned Counsel appearing on behalf of the respondents 1 to 4 would submit that the proposal for settlement regarding the claim made by the petitioner is pending consideration before the Railway Board. Therefore, it may take some time.



W.P.No.9577 of 2024

6. However, it is a contractual obligation and the petitioner has to pursue the remedy in the manner known to law. Accordingly, the Writ petition stands **dismissed** at the admission stage itself. No costs.

08.04.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

1. The General Manager,
Southern Railway,
Headquarters Office, Park Town,
Chennai – 600 003.
2. The Principal Chief Engineer,
General Manager Office,
Southern Railway, George Town,
Chennai – 600 003.
3. The Sr.DEN/Co-ordination,
Office of the Division Manager/Works,
Tiruchirapalli.
4. The Divisional Railway Manager,
Tiruchirapalli Division, Southern Railway,
Thiruchirapalli.



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W.P.No.9577 of 2024

S.M.SUBRAMANIAM,J.

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W.P. No.9577 of 2024

08.04.2024

Page No.5 of 5