



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12255 of 2024

RR Thulasi Builders(I) Private Limited,
Rep. by its Managing Director,
Shakthi Mahal
63, Perundurai Road,
Erode – 638 011.

... Petitioner

Vs.

1.The Superintending Engineer,
National Highways Circle,
No.5, Besant Road,
Thallakulam Ladies Police Station Opposite,
Chinna Chokikulam,
Madurai – 625 002.

2.The Divisional Engineer,
National Highways Circle,
No.5, Besant Road,
Thallakulam Ladies Police Station Opposite,
Chinna Chokikulam,
Madurai – 625 002.

3.The Chief Engineer Cum Regional Officer,
MORT&H Road Wing,
Rajaji Bhavan, Besant Nagar,
Chennai – 600 090.

4.The Union of India,



Rep. by its Secretary,
Ministry of MORT&H,
New Delhi.

W.P.No.12255 of



... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the issue of the impugned order issued by the 2nd respondent, namely, Lr.No.748/A2/2022 dated 02.02.2023 and quash the same and consequently to direct the respondents to make payment for the maintenance cost of the Work, namely, Construction of New Major Two-lane Bridge at Km 77/6 of NH 49 Extn across Kottakudi river for the maintenance period of 3rd and 4th year at 2% cost of contract Price for each year as per the Lump Sum Agreement in C.R. Agreement No.14/2014-15 dated 29.01.2014 executed between the 1st respondent and the petitioner for the said work along with commercial interest of 18% per annum for each quarter from the date of due for each quarter to the date of payment to the petitioner and also direct the respondents to pay the petitioner the cost of this litigation as may be fixed by this Court.

For Petitioner

: Mr.N.Subramaniyan



ORDER

The learned counsel for the petitioner would submit that instead of filing the writ petition before the Madurai Bench of Madras High Court, he filed the present writ petition before the Principal Seat.

2. Mr.N.Subramaniyan seeks permission to withdraw the present writ petition. Accordingly, permission granted and the writ petition stands dismissed as withdrawn with a liberty to file fresh writ petition before the Madurai Bench of Madras High Court.

3. The registry is directed to return the papers to the counsel on record.

29.04.2024

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

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- 4.The Union of India,
Rep. by its Secretary,
Ministry of MORT&H,
New Delhi.
- 5.The Sub-Assistant Registrar,
P.A. Section,
Madras High Court,
Chennai – 600 104.



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S.M.SUBRAMANIAM, J.

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