



WEB COPY

W.P.No.2373 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.2373 of 2017

and

W.M.P. Nos.2358 and 2359 of 2017

M/s. Albis Constructions Pvt. Limited,
represented by its Director Mr. P.Deenadayalan

... Petitioner

Vs.

1. Chennai Petroleum Corporation Limited (CPCL),
(A Group Company of Indian Oil),
represented by its Managing Director,
registered office at No.536, Anna Salai,
Teynampet, Chennai-600 018.

2. The Managing Director,
Chennai Petroleum Corporation Limited (CPCL)
registered office at No.536, Anna Salai,
Teynampet, Chennai-600 018.

3. The General Manager (Services),
Chennai Petroleum Corporation Limited (CPCL)
Having office at No.536, Anna Salai,
Teynampet, Chennai-600 018.

4. CPCL Educational Trust,
represented by its Secretary,
Manali, Chennai-600 068.

..... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the entire records of the 1st respondent ending with the Order dated 20.07.2016 bearing Ref.CC:06:049 passed by the 2nd respondent (impugned order), pursuant to Banning Order dated 10.05.2016 passed by the 3rd respondent, banning all business dealings with the petitioner and quash the same.

For Petitioner : Mr. R. Venkatraman
for M/s. Tatva Legal, Chennai.

For Respondents : Mr. Arjun Suresh [for R1 to R3]
No appearance [for R4]

ORDER

This Writ petition is filed questioning the validity of the order of the Appellate Authority dated 20.07.2016 confirming the order of the Original Authority dated 10.05.2016 imposing ban on the petitioner company to have business dealings with the respondent CPCL [Central Petroleum Corporation Limited].

2. Perusal of the original order dated 10.05.2016 would reveal that the respondents have tested the water tightness test at full supply level and identified certain defects and under performance of the petitioner company



in executing the works. Consequently, the petitioner was banned, all business dealings with the petitioner company for a period of 2 years from 19.01.2016. The appeal filed by the petitioner was rejected. Thus, the present Writ petition is filed.

3. The ban period expired on 18.01.2018. Since the ban period expired in the year January 2018 itself, the order impugned and the consequential Appellate order of rejection lost its relevance and the issues became infructuous. It is only a ban of business dealings, which was imposed and the learned counsel for the petitioner would submit that subsequently the petitioner is at liberty to participate in the business dealings with the Corporation. It is further stated by the learned counsel for the petitioner that negotiations are also in progress.

4. That being the factum, no further adjudication is required. The petitioner is at liberty to approach the respondents for appropriate remedy in the manner known to law.



5. With the above observations, this Writ petition stands disposed of.

No order as to costs. Connected miscellaneous petitions are closed.

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Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

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To

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