



W.P.(MD)No.9928 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.9928 of 2024

V.Sandal Muthuraj

: Petitioner

Vs.

- 1.The Nuclear Power Corporation of India Ltd.,
Directorate of Contracts & Materials Management,
C-0-05, Nabbikiya Urja Bhavan,
Anushaktinagar,
Mumbai – 400 094.
- 2.Nuclear Power Corporation of India Limited,
Represented by its Chairman and Managing Director,
16th Floor, World Trade Centre,
Cuffe Parade, Coloba,
Mumbai – 400 005.
- 3.The Site Director,
Nuclear Power Corporation of India Limited,
Koodankulam Nuclear Power Project,
Koodankulam,
Tirunelveli District.



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4.The Chief Engineer,
Civil Infra & Estate Management,
Nuclear Power Corporation of India Limited,
Koodankulam Nuclear Power Project,
Koodankulam,
Tirunelveli District.

5.The Additional Chief Engineer (C & EM),
Nuclear Power Corporation of India Limited,
Koodankulam Nuclear Power Project,
Koodankulam,
Tirunelveli District.

6.The Engineer In-Charge,
Civil Township,
Nuclear Power Corporation of India Limited,
Koodankulam Nuclear Power Project,
Koodankulam,
Tirunelveli District.

7.J.Sahaya Kapil Bosco : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 6 to probe an enquiry as to allotting work orders in Work Order No.200949 dated 27.04.2021, Work Order No.200950 dated



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01.09.2021 in the name of the 7th respondent and also against the erring officials, who has helped the 7th respondent in getting the work order as aforementioned dated 27.04.2021.

For Petitioner : Mr.G.Aravinthan

O R D E R

[Order of the Court was made by R.SURESH KUMAR, J.]

The prayer sought for herein is for a Writ of Mandamus, directing the respondents 1 to 6 to probe an enquiry as to allotting work orders in Work Order No.200949 dated 27.04.2021, Work Order No.200950 dated 01.09.2021 in the name of the 7th respondent and also against the erring officials, who has helped the 7th respondent in getting the work orders.

2. Heard the learned Counsel on either side.

3. The construction work of the official respondent department since has been entrusted to the seventh respondent in the year 2021 and the said work having been completed, at this juncture, the present writ petition has been filed in the name of a public interest litigation by the petitioner stating that, the seventh



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respondent was not at all eligible to complete the work, as his father was originally given the contract and as he demised, the seventh respondent has continued the work, which have to be probed for which the petitioner has filed the present writ petition.

4. We have gone through the documents filed in support of this petition. The petitioner himself filed the work completion order dated 28.10.2022. Therefore, the work order since has been given in the year 2021 and the work itself has been completed in October, 2021, therefore, at this juncture, no purpose would be served in questioning the work order that has been given by the respondent department to the seventh respondent.

5. Moreover, if the original contractor is the father of the seventh respondent, who died after getting the work order, naturally the work has to be completed by the legal heirs, which if at all completed by the seventh respondent, we cannot find fault with the method adopted by the seventh respondent, as the work which has to be executed has to be completed, since the money spent for the said purpose cannot be returned. Therefore, even on merits, there is no ground to interfere with the said work order given and the work completion that has already been made 1 ½



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years back. Therefore, the Mandamus sought for in this writ petition since cannot be granted, this Writ Petition fails.

6.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

[R.S.K.,J.] & [G.A.M.,J.]
23.04.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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5.The Additional Chief Engineer (C & EM),
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ORDER MADE IN
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