



W.P.No.3363 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.3363 of 2024

M/s Sri Raja Engineering Contractors
rep. by its partner, K.B.Sarvesvara Raja,
64, Gandhiji Main Road, NRT Nagar,
Theni 625 531.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai.
2. The Managing Director,
Urban Habitat Development Board,
No.5, Kamarajar Salai, Chennai 600 005.
3. The Superintending Engineer,
Chennai Circle-I, Urban Habitat Development Board,
No.130, R.K.Mutt Road, Mylapore,
Chennai 600 004.
4. The Executive Engineer,
Marina Reconstruction Division,
Formerly Tamil Nadu Slum Clearance Board,
Now Urban Habitat Development Board,
Triplicane, Chennai 600 005.



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5. State Bank of India, Siruthozhil Branch,
No.4, Ground floor, 285, Periyakulam,
Cumbum Road, Theni 625 531.

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus, directing the respondents to refund the amount of Rs.1,66,49,000/- (Rupees one crore sixty six lakhs forty nine thousand) invoked through the Bank guarantee No. 1832621BG0000012, dated 17.06.2021 on the file of the fifth respondent.

For Petitioner : Mr.Sriram Venkatavaradan

For Respondents : Mr.V.Jeevagiridharan, Addl.Govt.Pleader
for first respondents

Mr.G.Venkatesan, Standing Counsel
for respondents 2 to 4

Mr.C.Mohan, A.Rexy Josephine Mary
for M/s King and Partridge for R5

ORDER

The learned counsel for the petitioner seeks leave of this court to withdraw the writ petition with liberty to move commercial court to work out his remedy. He has also made an endorsement and submitted a letter dated 23.01.2025 before the Registry to that effect.



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2. Recording the above said letter dated 23.01.2025 and the endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn with liberty to move commercial court to explore the other remedies available under law. There shall be no order as to costs.

27.01.2025
(1/2)

Index:Yes/No
Internet:Yes/No
mst

To

1. The the Principal Secretary to Government,
State of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George, Chennai.
2. The Managing Director,
Urban Habitat Development Board,
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S.SOUNTHAR, J.

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**27.01.2025
(1/2)**