



W.P.No.5726 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.5726 of 2024
and W.M.P.No.6352 of 2024

B.S.Engineers and Contractors
No.8-4-1-20/10 Nani Mohammed Apartment
Samaskhan Pallivasal Street
Tirupathur – 630211, Sivagangai District
Rep.by its Partner V.Sevuga Raja

.. **Petitioner**

Vs.

1.The State of Tamil Nadu
Rep.by its Secretary to Govt.
Highways Department
Fort St.George, Chennai – 600 009.

2.The Chief Engineer
Highways Projects / Convener
High Level Disputes Resolution Committee
Highways Department
Chennai – 600 025.

3.The Superintending Engineer (H)
Project Circle,
Chennai – 600 016.

.. **Respondents**



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Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the 1st and 2nd respondent to refer the dispute to Arbitration, as per G.O.Ms.17 Highways & Minor Ports (HN.2) Department dated 06.03.2023 within stipulated time fixed by this Court.

For the Petitioner : Mr.Sriram
for Mr.D.Balaraman

For the Respondents : Mr.S.Senthil Murugan
Special Government Pleader

ORDER

The Writ Petition is filed for a direction to the 1st and 2nd respondents to refer the dispute to Arbitration, as per G.O.Ms.No.17, Highways and Minor Department dated 06.03.2023.

2. When the matter came up for hearing today, the learned counsel appearing on behalf of the petitioner submits that pending the Writ Petition, a communication dated 10.02.2025 is received by the petitioner from the Superintending Engineer (H), Projects Circle, Chennai. A copy of the same is produced before this Court. The said communication reads as follows:-



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“In this circumstance, vide ref.5th cited it is requested by the contractor to revoke the absolute determination order passed by this office and to allow to proceed the work.

In order to consider the request for the sake of early completion of the subject work and put into public use, it is informed to withdraw the Writ Petition (W.P.No.5726/2024) filed in Hon'ble High Court of Madras and communicate the details of the same to this office.”

3. In view thereof, while keeping open the rights of the petitioner, the petitioner seeks permission of this Court to withdraw the Writ Petition, in order to facilitate the authority to proceed further.

4. In the result, this Writ Petition stands dismissed as withdrawn with liberty to the petitioner as prayed for. No costs. Consequently, the associated miscellaneous petition is closed.

26.03.2025

Neutral Citation : Yes / No

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D.BHARATHA CHAKRAVARTHY, J.

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To

1.The Secretary to Govt.
State of Tamil Nadu
Highways Department
Fort St.George, Chennai – 600 009.

2.The Chief Engineer
Highways Projects / Convener
High Level Disputes Resolution Committee
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