



WP No. 34842 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-09-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 34842 of 2024

AND WMP NO. 37775 OF 2024

Brothers Engineering
Having Its Registered Office
At 17/6,Saroj Mansion,6th Street
Nandanam Ext,Nandanam,
Chennai 600 035,
Represented By Its Authorised
Signatory Mr.Nived C P

Petitioner(s)

Vs

Bharat Heavy Electricals Limited
Power Sector-southern Region,
Tek Towers No.11,
Old Mahabalipuram Road,
Okkiyam Thoraipakkam
Chennai 600 097.

Respondent(s)

PRAYER; This writ petition is filed under Article 226 of Constitution of India to issue a writ of Certiorari, calling for the records of the respondent to the impugned demand notice dated 01.11.2024 Ref.BHEL.PSSR.SCT.1980/2024/388 and quash the same as being arbitrary,unfair,unreasonable and illegal.



For Petitioner(s): M/s.Praveen R
For Respondent(s): M/s. V.V. Sivakumar

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ORDER

The writ petition has been filed seeking to quash the the impugned demand notice dated 01.11.2024 Ref.BHEL.PSSR.SCT.1980/2024/388 demanding a sum of Rs.20,69,700/- from the petitioner as amounts to be recovered in relation to the contract.

2. When the matter is taken up for hearing, the learned counsel for both sides submitted that they are mutually agreed to settle the matter before the Conciliation and Arbitration. In that regard, they have filed joint memo dated nil (filed in open Court dated 19.09.2025) and the same is extracted hereunder:

"1. The present memo is being filed pursuant to the joint request made by the parties before this Hon'ble Court on 11.03.2024 to appoint an arbitrator mutually agreeable to both parties to adjudicate the dispute between the parties.

2. Pursuant to the above, the parties have mutually agreed to refer the disputes between them to conciliation for the same to be settled amicable Clause 2.21.2 of the General contract clauses (Doc. No.PS.MSX.GCC.REV 02) dated 16.06.2021, also expressly provides for the parties to mutually appoint any person to act as a conciliator to settle the disputes between the parties.

3. In light of the above, the parties have mutually agreed



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for one of the following persons to act as a conciliator for disputes arising out of DLOI(Ref. No.BHEL PSSR;SCT;1980) dated 25.10.2021 and contract dated 11.04.2022 between the parties.

a. Senior Advocate Mr.M.K.Kabir;

b. Advocate Mrs.Chitra Narayan;

4. In the eventuality that the above contemplated conciliation process fails and the parties are unable to settle the disputes between them, the parties have further mutually agreed for one of the following persons to act as a sole Arbitrator to adjudicate the dispute between the parties;

a. Senior Advocate Mr.R.Yasod Vardha;

b. Justice Smt.Chitra Venkataraman (Retd.)

c. Justice Dr.P.Jyothimani (Retd.,)

5. In the light of the above, the present Memo may be taken on record for passing suitable orders."

3. In view of the memo filed by both the parties, no further order is necessary in this case. Hence, this Writ Petition is closed. The said memo dated nil (filed in the open Court dated 19.09.2025) shall form part of the case diary. No costs. Consequently, connected miscellaneous petition is closed.

19-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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