



Rev.Aplw No.62 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

Rev.Aplw No.62 of 2025

and

W.M.P.No.5639 of 2025

MMC Doortech Services Private Limited
Represented by its Authorized Signatory,
R.Raju
S/o.M.K.Ramachandran
No.22, 6th Cross Street Trustpuram,
Kodambakkam,
Chennai – 600 024.

... Petitioner

Vs.

1. Shri Balaji Construction,
Represented by
Kehar Singh State, First Floor, Plot No.2A,
Kh No.294, Saidulajab Village, New Delhi,
South Delhi, Delhi – 110 030.
2. Fermium Constructions LLP,
14/3, Ideashack, Madhura Road,
Sector 31, Faridabad – 121 003.
3. Airport Authority of India,
Represented by Mr.Balamurugan,
Assistant General Manager,
Chennai Airport Project,
Chennai – 600 016.

... Respondents



Rev.Aplw No.62 of 2025

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Prayer: Review Application filed under Order 114 of Civil Procedure Code to review the order dated 19.09.2024 in W.P.No.1740 of 2024 on the file of this Court and to allow the Review application.

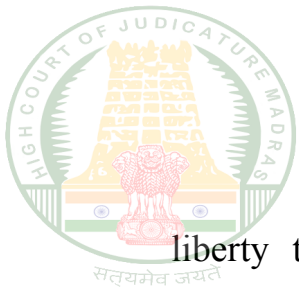
For Petitioners : Mr.U.Vijay Metha

For Respondents : Mr.R.John Joseph for R1 and R2

ORDER

The petitioner has filed this Review Application to review the order dated 19.09.2024 passed in W.P.No.1740 of 2024.

2. The brief facts in the present review application is that the first respondent entered into a contract with the third respondent for modernization of Chennai Airport, Phase II on 26.11.2021 and 19.01.2022 and the petitioner herein was a sub-contractor appointed by the second respondent. Though the entire materials were delivered successfully, despite multiple follow ups, the respondents failed to settle the outstanding amount of Rs.9,74,655/-. Seeking a direction to the third respondent to with hold the aforesaid sum from the respondents 1 and 2 and to consequently release the same in favour of the petitioner, the petitioner filed a writ petition before this Court in W.P.No.1740 of 2024 and the same was disposed of vide order dated 19.09.2024 with

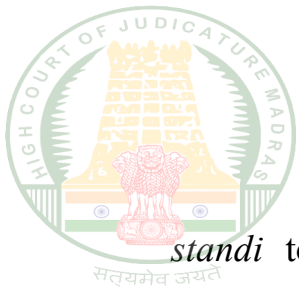


liberty to the petitioner to file an appeal before the Micro and Small Enterprises Facilitation Council (in short 'MSEFC') recording the submission made by the learned counsel for the respondents 1 and 2. Challenging the same the present Review application is filed.

3. The learned counsel for the petitioner submits that though this Court has disposed of the above writ petition recording the statement of the respondents' counsel that in respect of the very same relief, the petitioner has already approached the MSEFC and that the MSEFC has seized of the matter, however, unless the respondents have filed any counter affidavit verbally informing this Court that the petitioner has filed a case before MSEFC for the very same cause of action, it cannot be said that the petitioner has filed a case before MSEFC. Hence, this Court may allow the review application filed by the petitioner.

4. Heard the learned counsel for the petitioner and the respondents 1 and 2 and perused the materials placed on record.

5. Admittedly, the petitioner is a sub-contractor, who has no *locus*



Rev.Aplw No.62 of 2025

standi to file the above writ petition seeking the aforesaid relief. Even assuming that the petitioner has not filed any claim before MSEFC, however, there is a contract only between the first and third respondents and not between the petitioner and since the issue involved in the above writ petition pertains to disputed question of facts and the same has to be adjudicated only before the appropriate forum and not before this Court. Hence, this Court is of the view that, the prayer sought for by the petitioner in the present review petition cannot be acceded to and accordingly, this Review Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.02.2025

Index : Yes / No
Speaking order / Nonspeaking order
Neutral Citation Case : Yes / No
(rap)

To

Airport Authority of India,
Represented by Mr.Balamurugan,
Assistant General Manager,
Chennai Airport Project,
Chennai – 600 016.



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M. DHANDAPANI.J.,

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