

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM

**THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU**

W.P.Nos.12239 & 28773 of 2019

and

W.M.P.Nos.28518, 28520 & 12523 of 2019

Excel Engineering Enterprises  
No.63, Tamaraikulam,  
Elagiri Post  
Jolarpettai,  
Vellore District,  
rep. By its Proprietor,  
G.Kumaresan

... Petitioner in both the W.Ps

VS

1. The General Manager,  
Southern Railways,  
Park Town,  
Chennai-600 003.

2. The Chief Administrative Officer,  
Construction, Southern Railway,  
Egmore, Chennai- 600 008.

3. The Chief Engineer/  
S& RB, Construction, Southern Railway,  
Egmore, Chennai- 600 008

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4. The Deputy Chief Engineer,  
Construction, Southern Railway,  
Tambaram,  
Chennai – 600 045.
5. Mr.N.Jayaraman,  
The Executive Engineer, (XEN)  
Construction, Southern Railway,  
Tambaram,  
Chennai – 600 045. ..5<sup>th</sup> respondent in W.P.12239/2019 and 6<sup>th</sup>  
respondent in W.P.No.28773/2019
6. Mars Construction,  
HIG 2253 TNHB,  
Avadi,  
Chennai – 600 054 ..6<sup>th</sup> respondent in W.P.12239/2019
7. S.Jayasankar,  
Deputy Chief Engineer,  
Construction, Southern Railway,  
Tambaram,  
Chennai – 600 045 ..5<sup>th</sup> Respondent in W.P.No.28773/2019

Prayer:

Writ Petition No.12239/2019 is filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the respondents 1 to 5 (1) to take measurements of the work executed by the petitioner (2) to hand over the site from Tambaram to Guduvancheri and Singaperumal Koil to Chengalpattu (3) to furnish the “Working Section

(Earth Work formation design drawing)” for the balance of work (4) to make payment for the work done and (5) until the measurement is made of the work executed by the petitioner not to permit the 6<sup>th</sup> respondent or any other persons/contractors to execute any work over and above the work executed by the petitioner in pursuant to the Letter of Acceptance made in No.W.496/TBM-CGL/5/CN(7896) UCC:001568, Tender Number TBM-CGL/5 dated 30.01.2017 on the file of the 2<sup>nd</sup> respondent and Agreement No.60/DY.CE/CN/I/TBM-CGL/2017 dated 12.04.2017 on the file of the 4<sup>th</sup> respondent.

Writ Petition No.28773/2019 is filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari to call for the records relating to the proceedings No.P.133/I/1/CN/Jurisdiction/Vol.IV dated 23.09.2019 on the file of the 2<sup>nd</sup> respondent and quash the same.

For Petitioner : Mr.Elangovan  
for Mr.S.Doraiswamy

For Respondents : Mr.P.T.Ramkumar  
Standing Counsel

## **WEB COPY** **COMMON ORDER**

This matter is taken up for hearing through Video Conferencing mode.

2. The learned counsel for the petitioner seeks permission of this

Court to withdraw these writ petitions. He has also given a letter to the Registry to that effect.

3. In view of the above, the Writ Petitions are dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

28.08.2020

vri/vsi  
Speaking/Non-speaking  
Index : Yes/No  
Internet : Yes/No

To

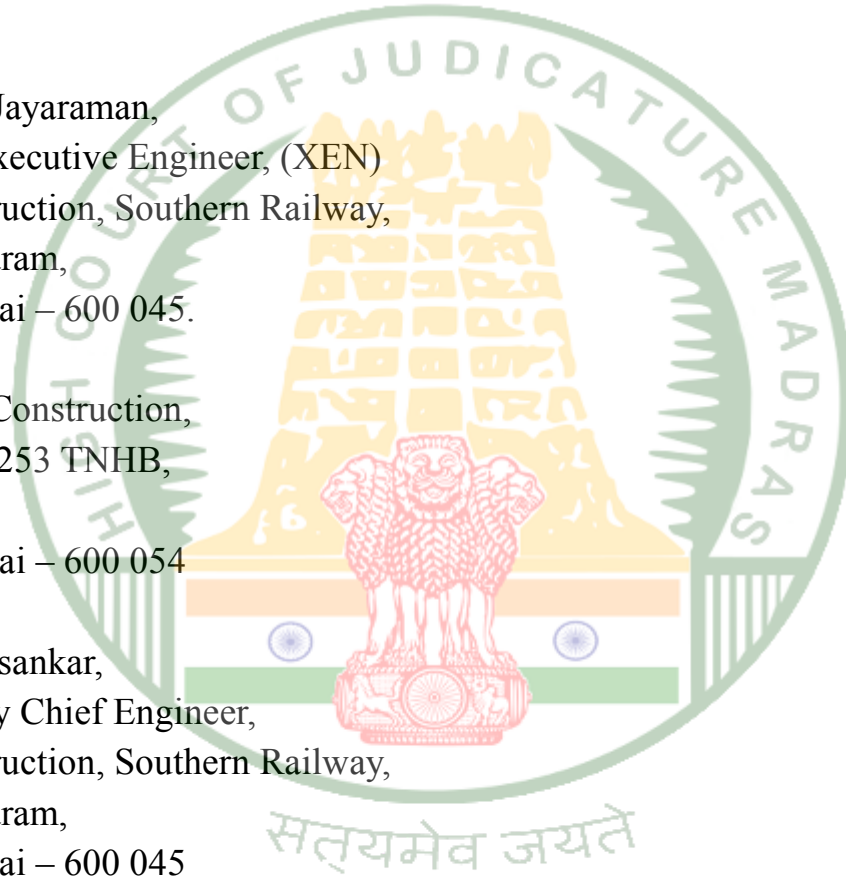
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**K.RAVICHANDRABAABU,J.**

vri/vsi



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