



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-07-2026

CORAM

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 42790 of 2025

Jai Sri Ram Traders & Concreate Works
Rep By Its Proprietor Shivarhaaman
No.4/124, Chinna Tirupathi Karuvalli Post,
Kadayampatty Taluk, Salem District.

..Petitioner(s)

Vs

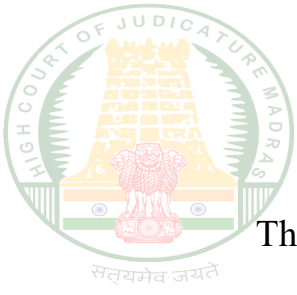
1. The District Collector
Collectorate, Chengalpattu District.
2. The Assistant Director (Village Panchayat)
Collectorate, Chengalpattu District.
3. The Special Officer/ The Block Development
Officer (Village Panchayath)
Kadankulathur Panchayat Union,
Thenmelpakkam Union,
Chengalpattu District.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to disburse the amount sum of Rs.12,60,240/- to the petitioner within the specific period of time fixed by this court.

For Petitioner(s): Mr.T.Ganesan

For Respondent(s): Mr.P.Siddarth, Govt. Counsel



ORDER

The petitioner has filed the present writ petition seeking a direction to the respondents to pay a sum of Rs.12,60,240/-, which is claimed to be due towards the supply and construction of cement seating benches.

2. According to the petitioner, he was entrusted with the work of supplying and constructing cement seating benches at various places in Thenmelpakkam Panchayat, including parks, Panchayat buildings, temples and other public places.

3. The petitioner quoted a rate of Rs.17,800/- per bench, excluding GST. It is his case that, pursuant to the work order, he supplied and constructed 60 cement seating benches and thereafter submitted the bills for payment. Despite completion of the work, the respondents have not released the amount due to him.

4. The learned Government Advocate, on instructions, submitted that the respondents do not dispute the petitioner's claim in respect of 50 seating benches and are willing to release the payment for those benches. However, in respect of the remaining 10 benches, it is submitted that the claim requires verification of the records. It is also contended that the bills should have been countersigned by the Assistant Executive Engineer and that the claim would be considered if such countersigned bills are produced.



5. This contention cannot be accepted. A perusal of the work order does not disclose any condition requiring the petitioner to produce bills countersigned by the Assistant Executive Engineer as a prerequisite for payment. Therefore, the respondents cannot insist upon a condition which does not form part of the contractual terms.

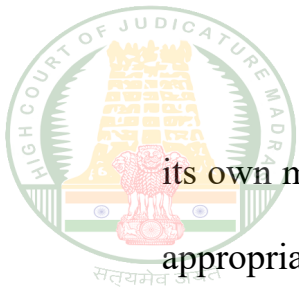
6. Insofar as the payment relating to 50 seating benches is concerned, the respondents have admitted their liability. Once the liability is admitted, there is no justification for withholding the payment.

7. In respect of the remaining 10 seating benches, since the respondents contend that the claim requires verification, the matter has to be examined on its own merits after giving the petitioner an opportunity of being heard.

8. Accordingly, the writ petition is disposed of with the following directions:

(i) The third respondent shall disburse the amount payable to the petitioner in respect of the 50 cement seating benches, the liability for which is admitted, within a period of six weeks from the date of receipt of a copy of this order.

(ii) Insofar as the petitioner's claim relating to the remaining 10 seating benches is concerned, the third respondent shall consider the claim on



its own merits, after affording the petitioner an opportunity of hearing, and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

(iii) The petitioner is at liberty to produce any additional documents in support of his claim before the third respondent, who shall consider the same while deciding the petitioner's claim.

There shall be no order as to costs.

30-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ssk

To

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HEMANT CHANDANGOUDAR, J.

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