

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 415 of 2015 (B)

PETITIONER(S):

**S. AMBROSE AND COMPANY,
10/188, PARUTHIKOTTAVILAI, KUNNAMPARAI JUNCTION,
KATTATHURA P.O., KANYAKUMARI DISTRICT- 629 158,
REPRESENTED BY ITS MANAGING PARTNER JOHNY BECKER,
AGED 40 YEARS, S/O.S. AMBROSE, 10/188, PARUTHIKOTTAIVILAI,
KUNNAMPARAI JUNCTION, KATTATHURA P.O.,
KANYAKUMARI DISTRICT-629 158, TAMIL NADU.**

**BY ADVS.SRI.S.SHANAVAS KHAN,
SMT.S.INDU.**

RESPONDENT(S):

- 1. THE SENIOR DIVISIONAL MANAGER (WORKS),
DIVISIONAL OFFICE, SOUTHERN RAILWAY,
THIRUVANANTHAPURAM-695 001.**
- 2. THE DIVISIONAL MANAGER (RAILWAY),
DIVISIONAL OFFICE, SOUTHERN RAILWAY,
THIRUVANANTHAPURAM-695 001.**

BY ADV. SRI.C.S.DIAS, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 415 of 2015 (B)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT-P1: TRUE COPY OF THE AGREEMENT ENTERED INTO BETWEEN
THE PETITIONER AND THE SECOND RESPONDENT.**

**EXHIBIT-P2: TRUE COPY OF THE PART BILL DATED 27/10/2014 SUBMITTED BY
THE PETITIONER.**

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.415 of 2015

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Dated this the 14th day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayer:-

"Issue a writ of mandamus or any other writ, order or direction directing the respondents to pay Rs.63,59,744/- which is the part bill amount due to the petitioner in respect of the work undertaken for the standardization of existing LCs (Level Crossing) including provisions of basic amenities at Nagercoil sub division forthwith"

2. The learned counsel for the petitioner submits that the the petitioner has completed the work as per the agreement with the respondents and as such there is absolutely no rhyme or reason to delay the payment to be effected.

3. The learned Standing Counsel for the respondents points out that various procedural formalities have to be completed before the payment has to be effected. It is also added that the entire financial reserve for effecting the payment

for the present financial year is already over and that the entire payment will be effected to the petitioner within 80 days.

The said submission is recorded. No further orders are called for. The writ petition is disposed of accordingly.

**P.R.RAMACHANDRA MENON,
JUDGE**

sj