

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C).No. 11083 of 2015 (I)

PETITIONER(S) :

**JOY.P.J,
M/S. PARAMEL ELECTRICALS,
ELECTRICALS ENGINEER,S AND CONTRACTORS, ROOM NO.12,
PATHANS BUILDING COMPLEX, THRISSUR DISTRICT.**

**BY ADVS.SRI.JOMY GEORGE
SRI.SEBASTIAN THOMAS**

RESPONDENT(S) :

- 1. KERALA WATER AUTHORITY,
JALA BHAVAN, VELLAYAMBALAM, THIRUVANANTHAPURAM,
REPRESENTED BY ITS MANAGING DIRECTOR- 695 001.**
- 2. EXECUTIVE ENGINEER,
KERALA WATER AUTHORITY, PH DIVISION, THRISSUR- 680 001.**

BY ADV. SRI.MILLU DANDAPANI

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1:** TRUE COPY OF THE SELECTION NOTICE NO.A2-4575/2012
DATED 11.04.2013 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P2:** TRUE COPY OF THE SELECTION NOTICE NO.A2-4576/2012
DATED 11.04.2013 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P3:** TRUE COPY OF THE ACCEPTED SCHEDULE FOR EXHIBIT P1
WORK ISSUED BY THE 2ND RESPONDENT SHOWING THE RATE
FOR EACH ITEM OF WORK.
- EXHIBIT P4:** TRUE COPY OF THE ACCEPTED SCHEDULE SHOWING THE RATE
FOR EVERY ITEM OF WORK MENTIONED IN EXHIBIT P2 ISSUED BY
THE 2ND RESPONDENT.
- EXHIBIT P5:** TRUE COPY OF THE VOUCHER DATED 28.01.2014 PREPARED BY
THE 2ND RESPONDENT WITH REGARD TO EXHIBIT P1 WORK.
- EXHIBIT P6:** TRUE COPY OF THE VOUCHER DATED 28.01.2014 PREPARED BY
THE 2ND RESPONDENT WITH REGARD TO EXHIBIT P2 WORK.
- EXHIBIT P7:** TRUE COPY OF THE REPRESENTATION DATED 26.03.2015 SENT BY
THE PETITIONER TO THE 2ND RESPONDENT WITH REGARD TO
EXHIBIT P1 WORK.
- EXHIBIT P8:** TRUE COPY OF THE REPRESENTATION DATED 26.03.2015 SENT BY
THE PETITIONER TO THE 2ND RESPONDENT WITH REGARD TO
EXHIBIT P2 WORK.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 11083 of 2015

Dated this the 6th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"a. Issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents to give the bill amount to the petitioner for the work done by him immediately on the basis of the mutually agreed rate between the parties and on the basis of accepted schedule.

b. Issue a writ of mandamus or any other appropriate writ order or direction directing the respondents to give interest at the rate of 18% for delayed payment."

2. Pleadings and proceedings reveal that the petitioner, who is a contractor, was awarded with a work by the 2nd respondent, who has completed the same to the satisfaction of all concerned as discernible from Exts. P1 and P2. The course and events are sought to be finalized with reference to Exts. P3 and P4 tender and Exts. P5 and P6 vouchers prepared by the 2nd respondent. It is revealed that the amount mentioned therein is payable to the petitioner. Despite the long lapse of time, the due amount is still to be disbursed to the petitioner, which made him to approach this Court by filing this writ petition.

3. Heard the learned Government Pleader as well.

4. Going by the materials on record, this Court finds that the petitioner has moved the 2nd respondent by filing Exts. P7 and P8. This Court finds it fit to direct the same to be considered and disposed of within a reasonable time. In the said circumstance, the writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on Ext.P7 and P8 in accordance with law, after affording an opportunity of hearing to the petitioner at the earliest, at any rate, within 'six weeks' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 2nd respondent for further steps.

sd/-
P.R. RAMACHANDRA MENON,
JUDGE.

kp/-