

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2015

Coram

The Hon'ble Mr. Justice T.S. SIVAGNANAM

W.P. No.32595 of 2015

S.P.Chelladurai

.. Petitioner

Vs

1. The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai 600 003.

2. The Zonal Officer,
Zone-I, Thiruvotriyur,
Corporation of Chennai,
No.945, T.H.Road, Chennai 600 019

3. The Assistant Commissioner
Corporation of Chennai Zone-I,
Thiruvotriyur, Chennai 600 019

.. Respondents

Prayer :-Petition filed under Article 226 of the Constitution of India praying to issue Writ of mandamus directing the third respondent to consider the petitioner's representation dated 17.04.2014 and release the sum of Rs.2,89,955.75 to which the petitioner legally entitled.

For petitioner .. Mr.J.Suresh

For Respondents .. Mr.P.V.Selvakumar

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. Heard Mr.J.Suresh, learned Counsel appearing for the petitioner and Mr.P.V.Selvakumar, learned Counsel appearing for the respondents.

3. The petitioner seeks for issuance of a writ of mandamus to direct the third respondent to consider the petitioner representation dated 17.04.2014 and release the sum of Rs.2,89,955.75.

4. The petitioner is a contractor who is said to have

carried on certain works for the respondent Corporation in respect of a School in Thiruvotriyur, Chennai.

5. The petitioner states that the bills have not been settled. In the counter affidavit filed by the Zonal Officer, Corporation of Chennai , in para 7, wherein, it has been stated as follows:-

7. I respectfully submit that even though the measurement book was handed over to then Junior Engineer Mr.Agooramoorthy by the petitioner on 23.01.2015, the measurement book was handed over by the than Junior Engineer to the Zonal Officer-1 only on 14.10.2015 and after scrutiny of the records, it was noticed that no next level Officers (i.e) Assistant Executive Engineer and Executive Engineer has not certified and recommended for the payment.

6. The above statement made by the Zonal Officer is placed on record. The Zonal Officer is directed to inform in writing to the petitioner as to why they have not certified and recommended payment to the petitioner. This intimation shall be sent to the petitioner within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the petitioner is at liberty to proceed further in this matter in accordance with law.

The Writ Petitioner is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

srn/rpa

To

1. The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai 600 003.
2. The Zonal Officer,
Zone-I, Thiruvotriyur,
Corporation of Chennai,
No.945, T.H.Road, Chennai 600 019
3. The Assistant Commissioner
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Thiruvotriyur, Chennai 600 019

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tm co, kra 24.11.2015