

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. No.33035 of 2015

V.Kannan

... Petitioner

vs.

1.The Government of Puducherry,

Rep. by the Chief Engineer,
Public Works Department,
Puducherry.

2. The Superintending Engineer,
Circle - I, Public Works Department,
Puducherry.

3. The Executive Engineer,
Buildings and Roads (Central) Division,
PWD, Puducherry.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus, directing the 2nd and 3rd respondents to consider the petitioner's representation dated 19.06.2015 and pass an order.

For Petitioner : Mr.D.Senthil Kumaar

For Respondents : Mr.R.Sridhar,
Government Advocate (P)

ORDER

The petitioner was a contractor with the respondents. On the failure of the respondents to fulfil the terms of the contract and to appoint an Arbitrator, the petitioner filed O.P.No.674 of 2014 before this Court seeking to appoint an Arbitrator to adjudicate the disputes between the 3rd respondent and the petitioner and this Court directed the respondents to appoint an Arbitrator to adjudicate the issues. Pursuant to the same, an Arbitrator was appointed and the petitioner filed a claim petition along with documents before the sole arbitrator, wherein, an award was passed. Though the award was passed by the sole Arbitrator, there was no final settlement made by the third respondent. The petitioner made a representation dated 19.06.2015 to the

respondents to settle the award amount. Thereafter, the present writ petition has been filed by the petitioner seeking direction to the respondents 2 and 3 to consider the said representation.

2. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

3. Considering the facts and circumstances of the case and also considering the submissions made herein, the present writ petition is disposed of, directing the second respondent to dispose of the petitioner's representation within a period of four weeks from the date of receipt of a copy of this order. No costs.

Ogy

Sd/-

Assistant Registrar (Admn.,I)

/True Copy/

Sub-Assistant Registrar

To

1. The Chief Engineer,
Public Works Department,
Puducherry.
2. The Superintending Engineer,
Circle - I, Public Works Department,
Puducherry.
3. The Executive Engineer,
Buildings and Roads (Central) Division,
PWD, Puducherry.

+2 C.C. To MR.D.Senthilkumar, Advocate in SR.NO.57852

+1 C.C. To Government Pleader (Puducherry) in SR.NO.57603

W.P.No.33035 of 2015

TM(CO)

sd : 05/11/2015

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