

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.8686 of 2015

M/s.Dodla Engineering, A Partnership
Firm rep. by its Authorised Signatory
Mr.M.V.Murali.

... Petitioner

Versus

1. The Project Director
Tamil Nadu Road Sector Project
II, TNMB Building, 1st Floor, 171
South Kesava Perumalpuram
R.a.Puram, Chennai-28.

2. The Divisional Engineer,
Tamil Nadu Road Sector Project-II
Vridhachalam, Tamil Nadu.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the 1st respondent to consider the representation dated 29.01.2015 to release the payment of Rs.2,11,98,605/- [Rupees Two Crores Eleven Lakhs Ninety Eight Thousand Six hundred and Five only].

For Petitioner : Mr.S.Elambharathi
For Respondents : Mr.R.Vijayakumar, AGP

ORDER

Heard Mr.S.Elambharathi, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader accepting notice for the respondents and with their consent, the writ petition itself is disposed of at the admission stage itself.

2.The petitioner has filed this writ petition seeking for issuance of a writ of mandamus to direct the 1st respondent to consider the representation dated 29.01.2015 to release the payment of Rs.2,11,98,605/-.

3. According to the petitioner, he has entered into a contract with the respondents for a Road Project. It is not in dispute that the contract was terminated by Letter of Termination dated 04.09.2014.

4. Learned counsel for the petitioner would submit that the petitioner is not challenging the termination ; but the petitioner seeks for a direction to the respondent to pay the amount for the work done and completed by him. In this regard, a representation is pending before the 1st respondent and as on date, no orders have been passed on the same. Hence, the petitioner is before this Court.

5. In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the 1st respondent to consider the petitioner's representation dated 29.01.2015 and pass orders on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1. The Project Director
Tamil Nadu Road Sector Project
II, TNMB Building, 1st Floor, 171
South Kesava Perumalpuram
R.a.Puram, Chennai-28.

2. The Divisional Engineer,
Tamil Nadu Road Sector Project-II
Vridhachalam, Tamil Nadu.

+1cc to Mr.S.Elambharathi, Advocate, S.R.No.17053
+1cc to the Government Pleader, S.R.No.17318

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AK(CO)
CA(30/03/2015)