

In the High Court of Judicature at Madras

Dated: 11.8.2015

Coram:

The Hon'ble Mr. Justice M. Jaichandren

Writ Petition No. 34541 of 2012

N. Doraisami

.. Petitioner

vs.

1. The Executive Officer,
Kotagiri Town Panchayat,
Kotagiri Post, The Nilgiris.

2. The Block Development Officer,
Kotagiri Town Panchayat,
Kotagiri Post, The Nilgiris.

3. K. Rajendra Prasad

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing respondents 1 and 2 to pay a sum of Rs. 13,00,000/- to the petitioner, which is lying with respondents 1 and 2 by way of amounts due and payable towards the seven contracts undertaken and done by the 3rd respondent during the period between 2007 and 2009.

For petitioner : Mr. P. K. Rajagopal

For respondents : Mr. P. Chinnadurai, G.A.
1 and 2

सत्यमेव जयते
O R D E R

Heard the learned counsels appearing on behalf of the parties concerned.

2. At this stage of the hearing of the Writ Petition, the learned counsel appearing on behalf of respondents 1 and 2 had placed before this Court a communication issued by the 1st respondent, dated 20.1.2014, stating that the entire amount due for the works executed by the 3rd respondent had been paid to him. The communication sent by the 1st respondent, dated 20.1.2014, reads as follows:-

"Sub: W.P.34541/2012 - Kotagiri Town Panchayat
- Brief Reply - Send - Regarding.

Sir,

I am sending herewith following brief reply related to the above writ petition.

1.Thiru.K.Rajendra Prasanth S/o.K.P.Kalimuthu, 12/58, Donington Road, Kotagiri is a contractor of Kotagiri Town Panchayat the fully power agent of Thiru.N.Duraisamy S/o.P.Nanjaiya of Sullikoodu

2.Thiru.K.Rajendra Prasanth, Contractor has taken up works since 2007 and completed all the works allotted to him and the entire amount paid to the Thiru.K.Rajendra Prasanth power agent of Thiru.N.Duraisamy. No amount is due for payment

3.The Contract Registration of Thiru.K.Rajendra Prasanth has been cancelled on 24.09.2011. Has he wanted to contest in Election.

4.Thiru.N.Duraisamy Applied writ petition to stop payment if any due to Thiru.K.Rajendra Prasanth by this Kotagiri Town Panchayat by the year 2011.

5.The entire amount for work execution by the Power of Thiru.K.Rajendra Prasath was paid in the following vouchers

- 1.Vr.No.251/2008-2009 Dt:07.08.2008
- 2.Vr.No.727/2007-2008 Dt:21.02.2008
- 3.Vr.No.525/2008-2009 Dt:04.12.2008
- 4.Vr.No.503/2008-2009 Dt:21.11.2008
- 5.Vr.No.75/2008-2009 Dt:21.04.2009
- 6.Vr.No.362/2008-2009 Dt:08.09.2009
- 7.Vr.No.723/2009-2010 Dt:11.12.2009

By the time of writ petition there was no amount is due Thiru.K.Rajendra Prasath

6.Therefore there is no amount is pending in this panchayat to stop. As per writ 34541/2012."

3. In such circumstances, as no further orders are necessary, the Writ Petition stands closed. No costs. M.P.No.1 of 2012 is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

gs.

To

1.The Executive Officer,
Kotagiri Town Panchayat,
Kotagiri Post, The Nilgiris.

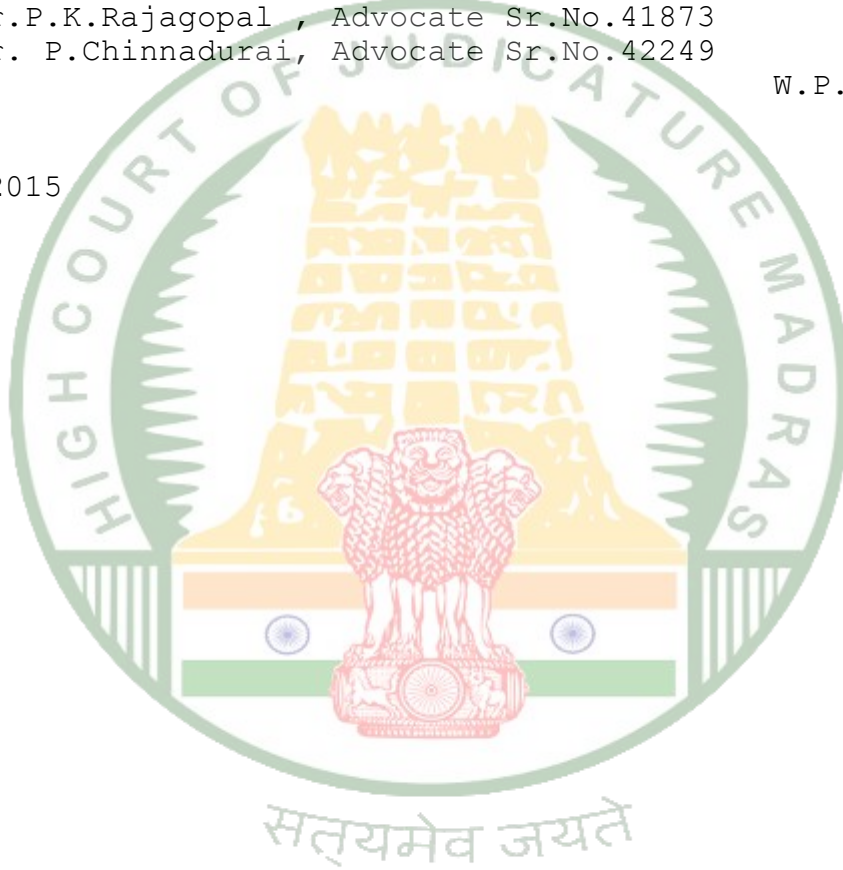
2.The Block Development Officer,
Kotagiri Town Panchayat,
Kotagiri Post, The Nilgiris.

1 cc to Mr.P.K.Rajagopal , Advocate Sr.No.41873

1 cc to Mr. P.Chinnadurai, Advocate Sr.No.42249

W.P.No.34541 of 2012

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pmk.31.8.2015



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