

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2016

CORAM:

The HON'BLE MR. JUSTICE M.JAICHANDREN

W.P. No.17204 of 2016

C.K.Umashankar

.. Petitioner

Versus

1. The Chief Workshop Manager,
Carriage & Wagon Works,
Southern Railway,
Ayanavaram, Chennai -23.
 2. The Works Manager/Wagon,
Office of the Chief Workshop Manager,
Carriage & Wagon Works,
Southern Railway,
Ayanavaram, Chennai -23.
 3. The Senior Section Engineer,
Office of the Chief Workshop Manager,
Carriage & Wagon Works,
Southern Railway,
Ayanavaram, Chennai -23.
- .. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the representation dated 21.12.2015 made by the petitioner with regard to settle the amount of Rs.3,00,000/- towards cleaning of wagons while taking in for POH in the premises of Carriage & Wagon Works, Southern Railway, Ayanavaram, Chennai-23, Rs.23,100/- towards Earnest Money Deposit, Rs.46,275/- towards performance Guarantee and Rs.14,000/- towards security deposit, totally Rs.3,83,375/- to the petitioner in accordance with the Contract Agreement dated 05.02.2015 within the period to be stipulated by this Court.

For petitioner : Mr.R.Chandrasekaran

For respondents : Mr.V.G.Suresh Kumar

ORDER

Heard the learned counsel appearing for the petitioner, as well as the learned counsel appearing on behalf of the respondents.

2.This writ petition has been filed praying that this Court may be pleased to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the representation, dated 21.12.2015, made by the petitioner, with regard to settlement of the amount of Rs.3,00,000/- towards cleaning of wagons, while taking for POH, in the premises of Carriage & Wagon Works, Southern Railway, Ayanavaram, Chennai-23, Rs.23,100/- towards Earnest Money Deposit, Rs.46,275/- towards performance Guarantee and Rs.14,000/- towards security deposit, totally Rs.3,83,375/- to the petitioner, in accordance with the Contract Agreement, dated 05.02.2015, within the period to be stipulated by this Court.

3.Though various grounds have been raised in the affidavit filed in support of the writ petition, the learned counsel appearing for the petitioner has submitted that it would suffice, if the first respondent is directed to dispose of the petitioner's representation, dated 21.12.2015, on merits and in accordance with law, within a specified period.

4.The learned counsel appearing for the respondents has no objection for such an order being passed by this Court.

5.In view of the submissions made by the learned counsels appearing on either side, the first respondent is directed to dispose of the petitioner's representation, dated 21.12.2015, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner, as well as to other persons concerned, if any. The petitioner is directed to furnish a copy of the representation, dated 21.12.2015, to the first respondent, along with a copy of this order. However, it is made clear that this Court, by this order, has not expressed any opinion on the merits of the matter.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rk

To

1. The Chief Workshop Manager,
Carriage & Wagon Works,
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Ayanavaram, Chennai -23.
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Southern Railway,
Ayanavaram, Chennai -23.

+1cc to Mr.R. Chandrasekaran, Advocate, S.R.No.35253

MSM(CO)
EU(20/07/2016)

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