

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2016

CORAM

The Honourable MR. JUSTICE N.KIRUBAKARAN

W.P. No. 36007 of 2016
and WMP No.30954 of 2016

M/s.Subaya Constructions Company Limited,
New No.21 (Old No.26), Soundrapandian Street,
Ashok Nagar,
Chennai - 600 083 r4epreseted by its Director. ...Petitioner

Vs

1.The State of Tamilnadu, rep.by
the Secretary to Government,
Municipal Administration Department,
Fort St.George,
Chennai - 600 009.

2.The Managing Director,
Tamilnadu Water & Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.

3.The Engineering Director,
Tamilnadu Water & Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.

4.The Engineering Director,
CMWSS Board,
No.1, Pumping Station Road,
Chindatripet,
Chennai - 600 002.

5. The Managing Director,
TWAD Board,
Chairman-Dispute Redressal Committee,
Chepauk,
Chennai - 600 005.

[R-5 impleaded as per order of this
court in WP No.36007 of 2016]

... Respondents

Writ Petition filed under Article 226 of the Constitution
of India praying for the issuance of a Writ of Mandamus
directing the respondents to consider and pass orders on

petitioner's appeal dated 04.08.2016 before the Dispute Redressal Committee within time as stipulated by this Court after affording an opportunity of personal hearing to the petitioner or through the counsel.

For Petitioner : Mr.Ramesh Venkatachalapathi
for M/s.S.Bageerathan

For R-1 : Mr.Elumalai,
Government Advocate

For R-2, R-3 & R-5 : Ms.Tamilarasi

For R-4 : Mr.G.Janakiraman

O R D E R

By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner is a contractor who executed underground sewage work in Zone I & II, being the successful bidder in the tender Notification dated 27.03.2013. Though the petitioner executed the underground sewage work and submitted the bill after completion of the same, the payment has not been given to him and therefore he filed an appeal before the Managing Director, TWAD Board, Chairman-Dispute Redressal Committee, Chepauk, Chennai - 600 005. So far the said appeal has not been disposed of and hence the petitioner has come before this court by way of this writ petition.

3. For disposal of the appeal filed by the petitioner before the Redressal committee, the said committee is a necessary party. Hence, this Court, suo moto impleads "The Managing Director, TWAD Board, Chairman-Dispute Redressal Committee, No.31, Kamarajar Salai, Chepauk, Chennai - 600 005" as fifth respondent in this petition.

4. Mr.Elumalai, learned Government Advocate accepts notice on behalf of the first respondent, Ms.Tamilarasi, learned counsel takes notice on behalf of the second, third and fifth respondents. Mr.G.Janakiraman, learned counsel takes notice on behalf of the fourth respondent.

5. Since the petitioner has filed an appeal/petition before the Redressal Committee for non-payment of the amount due to them for the work executed, it is appropriate to direct the respondents, especially the fifth respondent to dispose of the appeal filed by the petitioner on 04.08.2016, within a period of six (6) weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1.The State of Tamilnadu, rep.by
the Secretary to Government,
Municipal Administration Department,
Fort St.George,
Chennai - 600 009.

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Tamilnadu Water & Drainage Board,
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5. The Managing Director,
TWAD Board,
Chairman-Dispute Redressal Committee,
Chepauk,
Chennai - 600 005.

+1 cc to Government Pleader,sr.58554

+1 cc to Mr.S.Bageebrathinam,advocate,sr.58496.

skv(co)
krd 11/11

W.P.No.36007 of 2016