

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.9298 of 2017

M/s The Indian Hume Pipe Co., Ltd.,
rep. By its Deputy General Manager
No.8, First Floor,
Gopalapuram
Chennai 600 086.

[Petitioner]

Vs

1. The Managing Director,
TWAD Board,
No.31, Kamarajar Salai,
Chepuak, Chennai 600 005.
2. The Chief Manager,
TWAD Board, Ganesh Nagar,
Near Law College Hostel,
Opp. Mattuthavani Bus Stand,
Melur Road, Madurai 625 007.
3. The Executive Engineer,
TWAD Board, RWS Division,
No.465, II Floor,
Bharathiyar Shopping Complex,
Avinashi Road,
Tiruppur 641 692.

[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 settle a sum of Rs.254.82 lakhs along with interest at the rate of 12% per annum to and in favour of the petitioner for successful completion of CWSS to Madathukulam, Sankaramanallur, Kumaralingam and Kaniyur Town Panchayat and 112 Rural Habitations in Udumalpet, Madathukulam and Gudimangalam Unions in Coimbatore District with Thirumoorthy Dam Shall canal as source, within a time frame.

For Petitioner : Mr.B.Saravanan
For Respondents : Mrs.S.Tamizharasi

ORDER

Heard Mr.B.Saravanan, learned counsel for the petitioner and Mrs.Tamizharasi, learned counsel for the respondents.

2. The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents to settle a sum of Rs.254.82 lakhs along with interest at the rate of 12% per annum to and in their favour for successful completion of CWSS to Madathukulam, Sankaramanallur, Kumaralingam and Kaniyur Town Panchayat and 112 Rural Habitations in Udumalpet, Madathukulam and Gudimangalam Unions in Coimbatore District with Thirumoorthy Dam Shall canal as source, within a time frame.

3. When the matter is taken up for hearing, learned counsel on either side submitted that in similar circumstances, the Madurai Bench of Madras High Court, on 28.04.2017 in W.P.(MD) Nos.5014 to 5026 of 2017 has passed the following order and the same order can be followed in this writ petition also.

"3. Recording the submission made by the learned counsel for respondents, these writ petitions are disposed of by directing the authorities concerned to settle the amounts in favour of the petitioner as admitted by the learned counsel for the respondents, within a period of ten months from today. As regard payment of interest, it is open to the petitioner to claim or work out his remedies in the manner known to law. No costs".

4. In view of the submissions made by the learned counsel on either side, following the earlier order passed by this Court, this writ petition is disposed of by directing the authorities concerned to settle the amounts in favour of the petitioner, as admitted by the learned counsel for the respondents, within a period of ten months from today. As regards payment of interest, it is open to the petitioner to claim or work out their remedies in the manner known to law. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rg

To

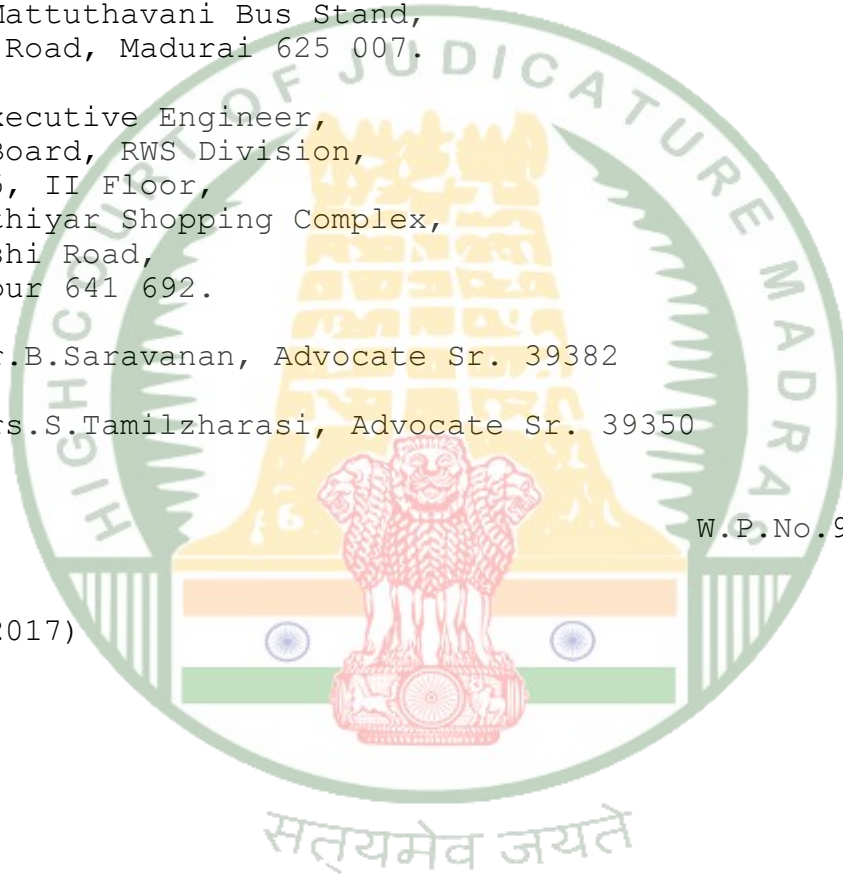
1. The Managing Director,
TWAD Board,
No.31, Kamarajar Salai,
Chepuak, Chennai 600 005.
2. The Chief Manager,
TWAD Board, Ganesh Nagar,
Near Law College Hostel,
Opp. Mattuthavani Bus Stand,
Melur Road, Madurai 625 007.
3. The Executive Engineer,
TWAD Board, RWS Division,
No.465, II Floor,
Bharathiyar Shopping Complex,
Avinashi Road,
Tiruppur 641 692.

+1cc to Mr.B.Saravanan, Advocate Sr. 39382

+1cc to Mrs.S.Tamilzharasi, Advocate Sr. 39350

W.P.No.9298 of 2017

VR(13/06/2017)



WEB COPY