

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.32809 of 2017

A.Perumal

.. Petitioner

Vs.

1. The Additional Director (Panchayats),
Collectorate,
Villupuram District, Villupuram.

2. The Block Development Officer,
Kanai Panchayat Union,
Kanai, Villupuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the second respondent to dispose of the petitioner's representation, dated 27.07.2017 and consequently direct the second respondent to settle the amount payable to the petitioner in respect of Government Contract Work within a stipulated time limit.

For petitioner : Mr.S.Udayakumar

For respondents: Mr.S.Diwakar, Spl.G.P.

ORDER

The petitioner has come forward with the above Writ Petition praying for issuance of a Writ of Mandamus to direct the second respondent to dispose of the petitioner's representation, dated 27.07.2017 and consequently direct the second respondent to settle the amount payable to the petitioner in respect of Government Contract Work within a stipulated time limit.

2. It is the case of the petitioner that he is a registered Contractor in Kanai Panchayat Union. During 2004-2005, he undertook a contract work under CSIDS Scheme for constructing school compound wall in Sitheri Panchayat Union Elementary School for total value of Rs.2,50,000/-. When the work was half way through, the Union Engineer Mr.Srinivas requested the petitioner not to complete the entire 83 meters compound wall in the School and he directed the petitioner to construct only 42 meters in Sitheri School and the remaining 41 meters of compound has to be completed in Velleripattu Village Panchayat Union School. It is further stated by the petitioner that when both

the works are in progress, the Union Engineer as well as the Block Development Officer visited both the villages simultaneously and were fully satisfied with the ongoing work. After completion of the entire work in both the Schools, the bill was settled only in respect of the compound wall constructed in Sithir Village and not settled in respect of Velleripattu Village. Hence, the petitioner made a representation to the second respondent on 27.07.2017, but the second respondent is not in a position to settle the entire bill amount of Rs.2,50,000/-. The Sitheri Village Panchayat President also gave a letter dated 06.05.2014 stating that the petitioner was directed to construct a compound wall. Thereafter, the petitioner sent notice through his counsel on 15.11.2017, which was acknowledged, but the respondents have not settled the balance amount to the petitioner. Hence, the petitioner has filed this Writ Petition for the relief stated supra.

3. Heard both sides and perused the materials available on record.

4. Considering the limited scope of the prayer made in this Writ Petition and taking into consideration the facts and circumstances of the case, without going into the merits of the matter, this Court directs the second respondent to consider the said representation, dated 27.07.2017, afford an opportunity of personal hearing to the petitioner and necessary parties, and thereafter pass appropriate orders and dispose of the said representation, on merits and in accordance with law, on or before 01.03.2018.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cs

To

1. The Additional Director (Panchayats),
Collectorate,
Villupuram District, Villupuram.
2. The Block Development Officer,
Kanai Panchayat Union,
Kanai, Villupuram District.

+1 cc to Mr.S.Udayakumar Advocate sr 90070
+1 cc to the Govt pleader sr 91126

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