

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2017

C O R A M

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition No.32367 of 2013 and

M.P.No.1 of 2013

Senthil Traders,
Represented by its Proprietor
M.Singaravelu,
No.24-1/15, Ariyalur Road,
Sendurai,
Ariyalur 621 714. Petitioner

//vs//

- 1 . The District Collector,
Collector's Office,
Ariyalur 621 714.
- 2 . The Assistant Director of Panchayats,
Collector's Office,
Ariyalur 621 704.
- 3 . Keezhamaaligai Panchayat,
represented by its President,
Keezhamaaligai,
Sendurai Taluk,
Ariyalur District. ... Respondents

Prayer Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent-District Collector to allocate the funds to the 3rd respondent Panchayat to ensure their compliance of the directions of Assistant Director of Panchayats in his Communication dated 22.08.2012 together with interest as fixed by this Court and consequently direct the 3rd respondent to settle the dues to the petitioner together with interest.

For Petitioner ... Mr.R.Balasubramanian

For Respondents 1 to 3...Mr.V.Anandhamurthy,
Additional Govt. Pleader

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to allocate funds to the 3rd respondent Panchayat to ensure their compliance of the directions of the Assistant Director of Panchayats in his Communication dated 22.08.2012 together with interest and consequently, direct the 3rd respondent to settle the dues on account of the service rendered by the petitioner by supplying certain electrical and plumbing items to the third respondent Panchayat.

2. The petitioner, who is a Proprietary Concern, has supplied electrical goods and plumbing items to the 3rd respondent Keezhamaligi Panchayat to the tune of Rs.2,43,693/- during 2010-2011. The 3rd respondent had made payment of Rs.1,18,222/- on 12.3.2012. The balance of Rs.1,38,026/- is yet to be paid. Though several steps have been taken by the petitioner to receive the balance amount, the said amount is yet to be recovered. Hence, the petitioner made a representation to the District Collector, the 1st respondent herein on the Public Grievance Day on 29.07.2013 in which the petitioner has brought to the notice of the 1st respondent, the direction issued by the Assistant Director of Panchayats, Ariyalur for the payment of the balance amount to him. Thereafter, the 1st respondent directed the 3rd respondent to settle the balance amount due to the petitioner. Further, the 3rd respondent Panchayat has already admitted the supply of goods to the tune of Rs.2,43,693/- by its letter dated 13.09.2011 in which the 3rd respondent had already made payment of Rs.1,18,222/- on 12.03.2012. The respondents 1 and 2 have also ordered for the payment of balance amount to the petitioner. But, till date, the 3rd respondent has not settled the balance amount. Hence the present Writ Petition.

3. Heard both sides and I have also perused the typed set of papers carefully.

4. A perusal of the typed set of papers would show that there is a letter dated 22.08.2012 from the Rural Development Assistant Director, Collectorate, Ariyalur to the President, Keezhamaligai Panchayat, Senthurai Panchayat Union, directing to pay the balance amount payable to the petitioner from and out of Fund-I with a copy marked to the Block Development Officer, Senthurai Panchayat Union. However, till date, there is no progress. As the President, Keezhamaligai Panchayat, Senthurai Panchayat Union is not there, the Block Development Officer is in charge of handling his functions. Therefore, though the Block Development Officer, Sendurai Panchayat Union, Ariyalur is not a party, he was directed to be present before this Court to-day.

5. Mr.G.Panchapakesan, Block Development Officer (Village Panchayat), Sendurai Panchyat Union, Ariyalur District appeared to-day before this Court. He is directed to disburse the said amount due of Rs.1,38,026/- to the petitioner, within a period of six weeks from the date of receipt of a copy of this order and report compliance.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

tsi/mst

- 1 . The District Collector,
Collector's Officer,
Ariyalur 621 714.
- 2 . The Assistant Director of Panchayats,
Collector's Office,
Ariyalur 621 704.

+ 1 cc to MR.R. Balasubramanian, Advocate Sr.23684
+ 1 cc to Government Pleader Sr.24054

Writ petition No.32367 of 2013

RK(CO)
EU 02.05.17

WEB COPY