



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P (MD) No.16995 of 2017

Atchaya Construction through its
Proprietor N.Saravanamurugan,
Fifth Class Contractor,
Madurai Corporation,
No.6/123, Bharathithasan Street,
Sivakami Nagar, Athikulam,
Madurai - 625 007.

.. Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai - 625 002.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to consider the petition representation dated 29.08.2017 and direct the respondent to issue the deposit amount Rs.9,42,483/-, which was deposited by the petitioner in the name and style of Atchaya Construction, fifth class contractor, his contract Licence No.Ma.Po.4/10256/17 in Registered No.3 for the public work for the period of 2010 to 2017.

For Petitioner

: Mr.G.Anbu Saravanan

For Respondent

: Mr.R.Murali
(Standing Counsel)ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondent to refund the deposit amount, which was deposited by the petitioner, as a contractor for the public works, based on the petitioner's representation dated 29.08.2017.

2.Mr.R.Prabhu Ramachandran, learned counsel, takes notice for the respondent.

3.By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.



4. Heard both sides.

5. According to the petitioner, he is a fifth class contractor. The respondent Corporation has given contract to the petitioner for more than eighty one works, for which, he deposited Rs.9,42,483/- and after completion of the work, he made several representations for refund of the same. Since the same have not been considered so far, the petitioner is before this Court.

6. The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 29.08.2017, is disposed of by the respondent as per law.

7. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the respondent to consider the representation of the petitioner dated 29.08.2017 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

8. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (Crl side)

/True copy/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai - 625 002.

+1cc to Mr.R.MURALI, Advocate, SR. 77754
+1cc to Mr.G.ANBU SARAVANAN, Advocate, SR. 77533

GK/SMN

KK/SVMMS/SAR4 /06.10.2017/ 2P- 4C/

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