

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 12.09.2017****CORAM:****THE HONOURABLE MR. JUSTICE R. MAHADEVAN****W.P (MD) No. 17157 of 2017**

B.Ravi Mohan

... Petitioner

Vs.

The Commissioner
Madurai Municipal Corporation
Madurai District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to settle the withheld amount to be paid to the petitioner for the work done to the respondent as stated in representation dated 21.04.2017.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.R.Prabhu Ramachandran,
Standing Counsel

O R D E R

This writ petition has been filed, seeking to direct the respondent to settle the withheld amount to be paid to the petitioner for the work done to the respondent as stated in representation dated 21.04.2017.

2. Heard the learned Counsel appearing on either side.

3. It is the case of the petitioner that the petitioner is a registered contractor under Public Works Department as well as Madurai Corporation and has undertaken several works under various Contracts. Though he has completed the works successfully, the respondent Corporation has, by withholding 10% of the bill amount in respect of contract works till production of necessary certificates by the authorities concerned, settled the balance amount, which made the petitioner to submit several representations, the last one of which was dated 21.04.2017 for refund of the same. Since no action was taken by the respondent so far, the petitioner has come before this Court with the above prayer.



4. The learned Standing Counsel appearing for the respondent fairly submits that if a reasonable time is granted to the respondent, appropriate orders will be passed on the representation of the petitioner dated 21.04.2017.

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5. In view of the above submission and also 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 21.04.2017 and pass appropriate orders thereon with regard to settlement of withheld amount, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To:

The Commissioner
Madurai Municipal Corporation
Madurai District.

+1cc to Mr.R.J.Karthick, Advocate Sr.No.78093

+1cc to Mr.R.Prabhu Ramachandran, Advocate Sr.No.78170

RM

VB/GT/SAR1/21/09/2017/2P/4C

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12.09.2017