



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.17766 of 2017

Chokkalingam

... Petitioner

Vs.

The Madurai Corporation,
Rep. by its Commissioner,
Madurai,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to settle the withheld amount due to the petitioner for the road works done in the year 2006 to 2011 as stated in representation dated 21.04.2017 within a time frame fixed by this Honble Court.

For Petitioner : Mr.R.J.Karthick
For Respondent : Mr.R.Prabhu Ramachandran

ORDER

This writ petition has been filed by the petitioner, seeking a Writ of Mandamus, directing the respondent to settle the entire arrear amount, for the road works done in the year 2006-2011, by considering his representation dated 21.04.2017.

2. By consent, this writ petition itself is taken up for final disposal. Mr.R.Prabhu Ramachandran, learned Counsel, takes notice for the respondent.

3. The petitioner, who is a registered contractor was given various road work-orders by the respondent, for the years 2006-2011, as he was the successful tenderer. The said works were completed up to the satisfaction of the respondent and for the same, the petitioner submitted various bills. The respondent, without paying the bill amount in full, has deducted/withheld 10% from each bill and settled the remaining. In spite of repeated representations on the part of the petitioner, the respondent Corporation has settled only a part of the withheld amount. Aggrieved thereby, the petitioner again submitted a representation on 21.04.2017, which according to him is pending and hence, the



petitioner is before this Court.

4. Heard the learned Counsel appearing for the petitioner and the learned Counsel appearing for the respondent.

5. When the matter is taken up for hearing, the learned Counsel for the petitioner submitted that it would be suffice, if his representation dated 21.04.2017, seeking settlement of arrears for the works done by him, is disposed of by the respondent, in the manner known to law, within a stipulated time period.

6. Considering the limited scope of the relief sought for, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioner dated 21.04.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation,
Madurai District.

+ 1 CC TO Mr.R.J.KARTHICK, ADVOCATE IN SR No. 80146
+ 1 CC TO Mr.R.PRABHU RAMACHANDRAN, ADVOCATE IN SR No. 79821

GK
TE/SKN-RSK/SAR-II : 27/09/2017 : 2P/4C

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