



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD)Nos.18109 & 18110 of 2017

J.F.Javid Hussain
K.R.Linghadhurai

... Petitioner in W.P(MD)No.18109/17
... Petitioner in W.P(MD)No.18110/17

Vs.

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

... Respondent in both petitions

PRAYER in W.P(MD)No.18109/17:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petition representation dated 16.09.2017 and direct the respondent to issue the deposit amount Rs.19,46,805/- interest which was deposited by the petitioner, and the total amount of Rs.19,46,805/- calculated with 8% in the name and style of J.F.Javid Hussain First Class Contractor contract Lincense No.Ma.Po.3/22376/036 in registered No.981, 982 for the Public work for the period of 2004 to 2012.

PRAYER in W.P(MD)No.18110/17:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petition representation dated 18.09.2017 and direct the respondent to issue the deposit amount Rs.7,63,728/- interest which was deposited by the petitioner, and the total amount of Rs.7,63,728/- calculated with 8% in the name and style of K.R.Linghadhurai Second Class Contractor contract Licence No.Ma.Po.2/24222/98 in registered No.67 for the public work for the period of 2010 to 2017.

For Petitioners : Mr.G.Anbusaravanan
(In both petitions)

For Respondent : Mr.R.Prabhu Ramachandran
(In both petitions)



2. Mr.R.Prabhu Ramachandran, learned Counsel takes notice for the respondent in both cases.

3. The petitioners being First & Second class contractors, having licence Nos.ம.பெ.3/22376/036 & ம.பெ.2/24222/98, respectively, were given some contract works by the respondent and the petitioners completed the same, to the satisfaction of the respondent. For the said works, the petitioners have deposited a sum of Rs.19,46,805/- and 7,63,728/- respectively, before the respondent and even after completion of all the works, the respondent failed to refund the deposited amount and aggrieved thereby, the petitioners submitted representation dated 16.09.2017 & 18.09.2017, respectively, to the respondent and as the same are kept pending, without any action, the petitioners are before this Court.

4. When the matter is taken up for hearing, the learned Counsel for the petitioners submitted that it would be suffice, if their representation seeking refund of deposited amount, is disposed of by the respondent, in the manner known to law, within a stipulated time period.

5. Considering the limited scope of the relief now sought for, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioners dated 16.09.2017 & 18.09.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(ADII)

/True Copy/

Sub-Assistant Registrar

To

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

+2ccs to Mr.G.Anbusaravanan, Advocate, SR.Nos.80670 and 80671

+2ccs to Mr.R.Prabhu Ramachandran, Advocate, SR.Nos.80506 and
80507

gk

RL/6C/2P/SKN/RSK/SAR1/9/10/2017 W.P.(MD)Nos.18109 & 18110 of 2017