

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 03.11.2017

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No. 20333 of 2017

R.K.S.Engineering and Rewinding Works,
Rep. by its Proprietor,
R.Karthikaisamy

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai - 20.

2. The Assistant Director (Panchayat),
Madurai District,
Collectorate Complex,
Madurai - 20.

3. The Block Development Officer / Special Officer,
Thirumangalam Panchayat Union,
Madurai District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the Petitioner the outstanding amount of Rs.9,88,480/- payable for the maintenance work done by the Petitioner for various village Panchayats functioning under the 3rd Respondent on the basis of the Petitioner's representation dated 04.10.2017 to the 1st Respondent within the time limit as fixed by this Hon'ble Court.

For Petitioner : Mr.R.Aravindan
For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader
for R.1 & R.2
Mr.K.P.Krishnadoss for R.3

ORDER

By consent, this writ petition is taken up for final disposal at the stage of admission itself.



2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for respondents 1 & 2. Mr.K.P.Krishnadoss, learned Counsel, takes notice for the third respondent.

3. According to the petitioner-company (in short "Company"), they are involved in Engineering Contract works and the respondents have given some contract works to them and the company had also completed the same to the satisfaction of the respondents. But, for the said works, the respondents had not settled the bill promptly, which constrained the company to submit a representation dated 20.07.2017 to the first respondent. It is the specific contention of the company that though the first respondent has forwarded their representation to the authorities concerned for necessary action at their end, the same is kept pending without any action and aggrieved thereby, the company has submitted another representation dated 04.10.2017, before the respondents, which is also kept pending, without any action and hence, having left with no other option, the petitioner-company is before this Court for the aforesaid relief.

4. When the matter is taken up for hearing, the learned Counsel for the petitioner-company submitted that it would be suffice, if their representation is disposed of by the first and second respondents, within a stipulated time period, in the manner known to law.

5. Considering the limited scope of the relief now sought for, this Court, without going into the merits of the case, directs the respondents 1 & 2 to consider the representation of the petitioner-company dated 04.10.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner-company, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,



2. The Assistant Director (Panchayat),
Madurai District,
Collectorate Complex,
Madurai - 20.

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3. The Block Development Officer / Special Officer,
Thirumangalam Panchayat Union,
Madurai District.

+1cc to Mr.R.Aravindan, Advocate Sr.No.85319

+1cc to Spl.Government Pleader Sr.No.85367

VB/MR/KKR/SAR4/17/11/2017/3P/6C

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