



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.23474 of 2017

R.S.Jeevanantham

... 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 for the issue of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 10.12.2017 and direct the respondent to issue the deposit amount Rs.11,67,695/- which was deposited by the petitioner and the total amount of Rs.11,67,695/- calculated with 8% interest in the name and style of R.S.JEEVANANTHAM Fourth Class Contractor contract Licence No. M.G.L.A.4/23020/14 in registered No.68 for, the public work for the period of 2010 to 2017.

For Petitioner : Mr.G.Anbusaravanan

For Respondent : Mr.J.Gunaseelan Muthiah
Government Advocate

O R D E R

This writ petition has been filed, seeking a direction to the respondent to consider the petitioner's representation dated 10.12.2017 and direct the respondent to issue the deposit amount Rs.11,67,695/- which was deposited by the petitioner and the total amount of Rs.11,67,695/- calculated with 8% interest in the name and style of R.S.Jeevanantham, Fourth Class Contractor, bearing Licence No.M.G.L.A.4/23020/14 with Registration No.68 for the public works for the period of 2010 to 2017.

2. Mr.J.Gunaseelan Muthiah, learned Standing Counsel takes notice for the respondent. By consent, the writ petition is taken up for final disposal at the stage of admission itself.



3. The case of the petitioner is that he is a Fourth Class Contractor, who, pursuant to the calling for tenders for various works, participated in the tenders and completed the works, by initially depositing the required amount of Rs.11,67,695/-. The petitioner, on completion of all works, submitted a representation dated 10.12.2017 to the respondent. Since no steps were taken on the representation for refund of the amount, the petitioner is before this Court with the above prayer.

4. The learned Standing Counsel appearing for the respondent would submit that if reasonable time is granted to the respondent, the representation of the petitioner will be considered and appropriate orders be passed.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondent to pass appropriate orders on the representation of the petitioner 10.12.2017 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

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

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 cc TO Mr.J.Gunaseelan Muthiah , Advocate in SR No. 93806
+ 1 cc TO Mr.G.Anbusaravanan , Advocate in SR No. 94019
+ 1 cc TO The Special Government Pleader in SR No. 94303

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AE/KKR/SAR2/09.01.2018/2P/5C

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