



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.(MD)No.13043 of 2016

P. Murali

... Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to refund the withheld amount of the petitioner such as EMD and security deposit for the period from 2008-2015 for the works executed by the petitioner by considering the representation of the petitioner dated 28.04.2016.

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

ORDER

The petitioner seeks for a Writ of Mandamus to direct the respondent to refund the withheld amount of the petitioner such as EMD and security deposit for the period from 2008 to 2015, for the works done by him, based on his representation dated 28.04.2016.

2. The case of the petitioner is that the petitioner is a registered contractor with the respondent, carrying out various works like laying roads, constructing compound wall, repair and renovation works by participating in tender. While issuing work order, the respondent used to withhold EMD, security deposit and additional deposits, in order to adjust the same in case of any delay or deficiency in completing the work. For all the works done and completed by the petitioner from 2008 onwards, the respondent failed to refund the same. On the other hand, without any proper verification, the respondent replied that the petitioner shall wait till all the pending works gets over. Aggrieved by the same, the petitioner submitted a representation before the respondent dated 21.01.2016, followed by a reminder dated 11.02.2016. As the same has not been considered, he filed W.P.(MD)No.5413 of 2016 and this Court on 17.03.2016, ordered to consider the representation of the



petitioner. Thereafter, the petitioner submitted another representation dated 28.04.2016, but the same has also not been considered by the respondent. Hence, the petitioner filed the present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

4. The learned counsel appearing for the respondent reported that the claim of the petitioner to refund the withhold amount of EMD, security deposit and others has been sent for approval and the same shall be settled within a period of eight weeks.

5. Recording the submission of the learned counsel for the respondent, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation,
Madurai.

+ 1 CC TO Mr.R.PRABU RAMACHANDRAN, ADVOCATE IN SR No. 67413

GK/SMN

TE/MR-KKR/SAR-V : 02/08/2017 : 2P/3C

W.P. (MD) No.13043 of 2016
25.07.2017