

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.06.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.20895 of 2014

and M.P.Nos.1,2,3 and 4 of 2014

V.Rammohan

..Petitioner

vs

1.The Commissioner of Municipal Administration,
Ezhilagam,
Chepauk, Chennai -600 005.

2.Regional Director for Municipal Administration,
Block No.26, Rajendra Chatram,
Arisipalayam, Salem-2.

3.Karur Municipality,
Represented by its Commissioner,
Municipal Office, Azad Road,
Karur.

4.Punniyamurthy,
Municipal Engineer,
Karur Municipality,
Municipal Office, Azad Road,
Karur.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent comprised in the resolution dated 06.06.2014 in No.2807/2011/E1 and the tender notification in reference Roc.NoE1/2807/2011 dated 05.07.2014 for construction of New Green Park in at S.F.No.1482 (part),1483 and 1484/A1, Senapirati Village, Karur Municipality, Karur District admeasuring 10 acres, quash the same as arbitrary, illegal unconstitutional vitiated by malafides, opposed to the principles of natural justice and consequently direct the respondents to permit petitioner to complete the work

in accordance with the agreement dated 15.10.2012 as per the revised plan issued by the 3rd respondent as approved by the 1st respondent.

For Petitioner : Mr.S.Ramesh
For RR 1 & 2 : Mr.Elumalai,
Government Advocate

For RR 3 & 4 : Mr.R.Vijay Narayan
Advocate General
Assisted by
Mr.I.Raghu (Government Advocate)

O R D E R

The learned Advocate General appearing on behalf of the respondents 3 and 4 made a submission that the EMD and security deposit amount deposited by the writ petitioner will be reimbursed. In respect of all other claims of the writ petitioner, the same will be considered in accordance with the terms and conditions of the contract and in accordance with the Government orders and the Rules in force.

2. In this regard, the writ petitioner is at liberty to submit his representation within a period of one week from the date of receipt of a copy of this Order to the authority concerned and the authority concerned has to consider the same in accordance with the terms and conditions of the contract and as per the Rules in force and pass orders on merits within a period of four weeks thereafter.

3. The learned counsel for the petitioner made a submission that the pending bills are also to be cleared. It is made clear that the genuinity or otherwise of the pending bills are to be ascertained by the competent authorities and the same is to be settled in accordance with the terms and conditions of the contract. The materials belong to the writ petitioner are lying in the premises. The writ petitioner can lift the same without any further delay.

4. Accordingly, the writ petition stands disposed of. Consequently, connected miscellaneous petitions are also closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Municipal Administration,
Ezhilagam,
Chepauk, Chennai -600 005.

2.Regional Director for Municipal Administration,
Block No.26, Rajendra Chatram,
Arisipalayam, Salem-2.

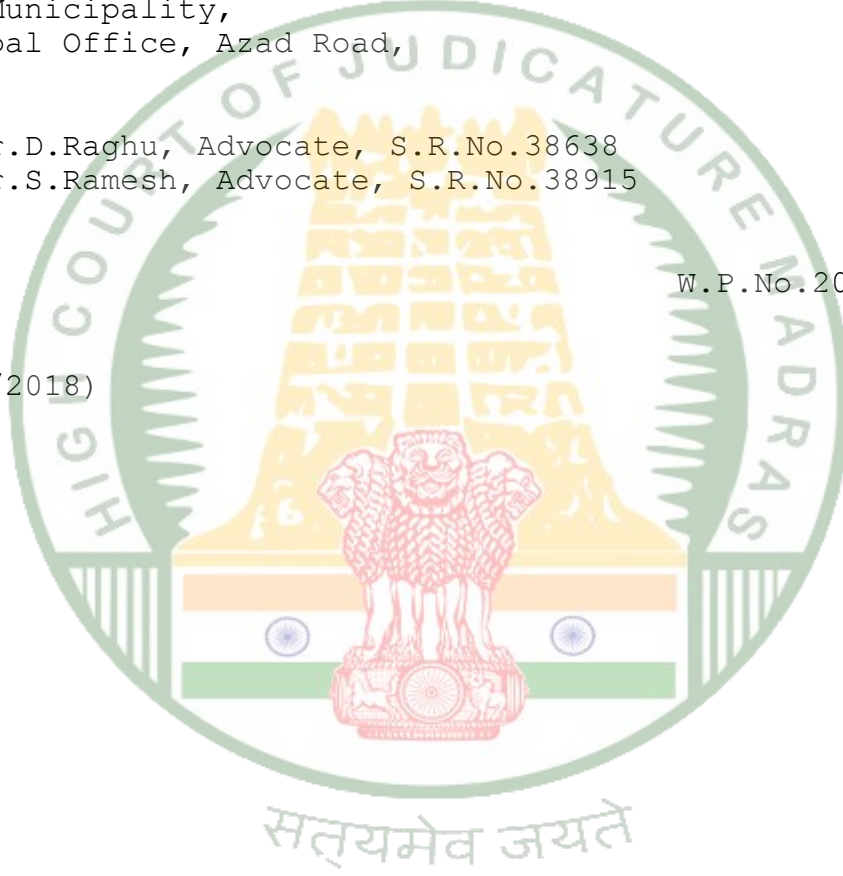
3.The Commissioner,
Karur Municipality,
Municipal Office, Azad Road,
Karur.

+1cc to Mr.D.Raghu, Advocate, S.R.No.38638

+1cc to Mr.S.Ramesh, Advocate, S.R.No.38915

W.P.No.20895 of 2014

CNR(CO)
GSP(02/07/2018)



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