

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2018

CORAM

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

W.P.No.15240 of 2018

M.Sampathkumar

..Petitioner

Vs

1. The Secretary to Government,
Government of Tamil Nadu,
Highways Department,
Fort St. George, Chennai-600 009.
2. The Superintendent Engineer,
Chennai Circle,
Highways Department (Construction & Maintenance),
Anna Salai, Teynampet,
Chennai - 600 006.
3. The Divisional Engineer,
Chengalpet Division,
Highways Department,
No.2, Periyar Nagar,
Chengalpet.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent to dispose and to repay the security deposit as per the representation made by the petitioner dated 11.04.2018 within a time limit framed by this Hon'ble Court.

For Petitioner : Mr. M.Selvalingam
for M/s.T.Fenn Walter Associates

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondent to dispose and to repay the security deposit as per the representation dated 11.04.2018 made by the petitioner.

2.The learned counsel appearing on behalf of the petitioner, states that the petitioner is a registered 1st class contractor and executed certain works with Highways department in accordance with the terms and conditions of the agreement. However, the security deposit made by the writ petitioner had not been repaid.

3. The learned Special Government Pleader appearing on behalf of the respondents, states that there were certain other litigation in respect of the works executed by the writ petitioner. Further, the security deposit has not been repaid on account of non-compliance of certain terms and conditions of the agreement.

4. May that it be. It is the duty of the respondents to inform at least the stage and status of the position in respect of the refund of the security deposit. However, the representation submitted by the writ petitioner in this regard has not even looked into by the competent authorities. Thus, the petitioner is constrained to move this present writ petitioner.

5.Under these circumstances, without going into the merits of the matter, the second respondent is directed to consider the representation dated 11.04.2018 submitted by the writ petitioner and pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. However, there shall be no order as to costs.

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

maya/nmm

To

1. The Secretary to Government,
Government of Tamil Nadu,
Highways Department,
Fort St. George, Chennai-600 009.
2. The Superintendent Engineer,
Chennai Circle,
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Anna Salai, Teynampet,
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3. The Divisional Engineer,
Chengalpet Division,
Highways Department,
No.2, Periyar Nagar,
Chengalpet.

+1cc to M/s.T.Fenn Walter Associates, Advocate, S.R.No.40177
+1cc to the Government Pleader, S.R.No.40370

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JP(CO)
CS/04/07/18



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