



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 18.06.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.GOVINDARAJ**  
**W.P(MD)No.12824 of 2018**

WEB COPY

B.Pandi

... Petitioner

Vs.

The Commissioner,  
Madurai Corporation,  
Madurai City.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus to direct the respondent to consider his representation dated 27.07.2016 and pass orders in accordance with law within the stipulated time.

|                |                                                            |
|----------------|------------------------------------------------------------|
| For Petitioner | : Mr.N.Karthik Kanna                                       |
| For Respondent | : Mr.J.Gunaseelan Muthiah<br>Additional Government Pleader |

**ORDER**

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader takes notice for the respondent.

2. By consent, the writ petition is taken up for disposal.

3. The petitioner is a contractor and successful bidder in respect of a tender quoted by the respondent Corporation. According to the petitioner, he has completed the work and laid the road in compliance of the tender notification. However, the bills were not paid. Hence, he made a representation dated 27.07.2016 and the same has not been considered so far. Therefore, he is before this Court.

4. The learned Additional Government Pleader appearing for the respondent Corporation would submit that in the work executed by the petitioner, there are certain defects. In an earlier occasion, his representation, dated 16.09.2017, pursuant to the order passed by this Court in W.P(MD)No.18558 of 2017, dated 06.10.2017, was considered and a communication in Ref.No.Ma.Po.4/28682/17, dated 22.12.2017, was communicated to the petitioner.

5. However, the learned Counsel for the petitioner would contend that he has executed four works under the respondent Corporation and the respondent Corporation is not disbursing the bill of amount for the same.



6. Considering the facts and circumstances of the case, a direction is issued to the respondent to communicate the reason for non-consideration of his request and afford an opportunity of personal hearing to the petitioner and pass orders on his representation dated 27.07.2016. In the event of return of bill for rectification, the petitioner is directed to rectify the defects, if any, pointed out by the respondent Corporation and on such rectification, the respondent Corporation is directed to consider disbursement of money due to the petitioner. The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

7. With the above observations, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl. Side)

/True Copy/

Sub Assistant Registrar

To  
The Commissioner,  
Madurai Corporation,  
Madurai City.

+1cc to Mr.N.Karthik Kanna, Advocate Sr.No.68897  
Rsb  
MK/SV MMS/SAR 1/27.06.2018/2P/3C

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