

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.9648 OF 2019

S.Govindhan

...Petitioner

Versus

1. The District Collector,
District Collector Office,
Salem.
2. The Municipality Regional Director,
Aarisipalayam, Salem District.
3. The Commissioner,
Attur Municipality,
Attur - 636 102, Salem District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the third respondent to dispose of the petitioner's representation dated 14.11.2018 in accordance with law.

For Petitioner : Mr.G.Radhakrishnan

For Respondents - 1 & 2 : Mr.B.Anand,
Government Advocate

Respondent - 3 : Mr.P.Srinivas

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal.

2. The case of the petitioner is that he is one of the contractor supplying water in Attur Municipality depending upon work order placed to him. While so, one water supply contract was allotted to him for supply of water through lorry to the public vide Na.Ka.No.3341/2013/@2 dated 16.07.2013. As per the

contract, the petitioner supplied water to the public from 18.07.2013 to 10.08.2013, 11.08.2013 to 30.08.2013 and 01.09.2013 to 26.09.2013. As per the terms and conditions of the contract, the respondent/Municipality has to disburse a sum of Rs.29.67 Lakhs to the petitioner. But till date the respondent/Municipality had not disbursed the said sum. Therefore, the petitioner sent a representation to the third respondent on 14.11.2018 requesting the disbursement of the amount for the contract work done by him. Thereafter, the third respondent by his letter dated 13.06.2018 in Na.Ka.No.3341/2013/@2 requested the second respondent to pay the contract amount to the petitioner. Despite the third respondent's letter, no response has been forthcoming from the second respondent. Therefore, the petitioner has come before this Court with the present petition seeking for the aforesaid relief.

3. The learned counsel appearing for petitioner submitted that though as per the contract, the petitioner had supplied water to the public, till date the respondent had not disbursed the contract amount to the petitioner even after a lapse of five years. Hence, he prays that the Court may issue appropriate direction directing the respondents to consider the representation of the petitioner and settle the contract amount.

4. The learned Government Advocate appearing for respondents submitted that the respondent/Municipality will consider the representation of the petitioner on merits and in accordance with law, as per the time stipulated by this Court.

5. Considering the limited scope of the prayer sought for by the petitioner, this Court without going into the merits of the case, directs the third respondent to consider the petitioner's representation dated 14.11.2018 on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of with the above direction. However, there shall be no order as to costs.

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Sd/-
Deputy Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

mrr

To

1. The District Collector,
District Collector Office,
Salem.
2. The Municipality Regional Director,
Aarisipalayam, Salem District.
3. The Commissioner,
Attur Municipality,
Attur - 636 102, Salem District.

+1cc to Mr.G.Radhakrishnan, Advocate, S.R.No.33894

+1cc to the Government Pleader, S.R.No.34701

W.P.No.9648 of 2019

PP(CO)
CS/19/06/2019



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