

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :22.11.2019

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.22282 of 2019

Sri Ganesh Electricals

No.1/1, Aalaiyamman Koil Street,

Teynampet, Chennai 600 018,

Rep.by its Proprietor Mr.M.Ganeshan

... Petitioner

/versus/

1.Chief Engineer(Building),

Chennai Region PWD(VC),

Chepauk, Chennai 600 005.

2.Superintending Engineer PWD Building

(C&M) Circle,

Chepauk, Chennai.

3.Electrical Engineer, PWD,

Electrical Division II, Chepauk,

Chennai 600 005.

4.Additional Principal Chief Conservator

of Forest and Director,

Arignar Anna Zoological Park,

Vandalur, Chennai 600 048.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to dispose of the representation dated 02.06.2019 within the time frame fixed by this High Court.

For Petitioner :Mr.K.Seetharam

For Respondents:Mr.N.Inbanathan, AGP for R1 to R3

Mr.Thangavadhana Balakrishnan

AGP for R4

O R D E R

This Writ Petition has been filed seeking Writ of Mandamus directing the 3rd respondent to dispose of the representation dated 02.06.2019 within the time frame.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleaders appearing for the respective respondents.

3.The grievance of the petitioner is that he is a "A" Class registered PWD Electrical Contractor with 37 years experience. Pursuant to the tender called by the 2nd respondent on 29.10.2014 he carried electrification work in the Institute for Wild Life Conservation (Research, Training and Education) including Scientists Transit Hostel at Arignar Anna Zoological Park, Vandalur, Chennai under the administration of the 4th respondent. The contract work got completed on 29.07.2017. In the course of the contract work, there was additional work carried out by the petitioner, which incidental to the main contract work. On completion of the work, the petitioner raised the bill for Rs.7,20,000/-. He was not paid the amount, inspite of repeated request to the respondents. Hence, the present writ petition is filed seeking Mandamus to direct the 3rd respondent to dispose of his representation dated 02.06.2019 within the time frame.

4.The crux of the representation dated 02.06.2019 is to pay the contract amount of Rs.7,20,000/-.

5.The fourth respondent has filed a counter-affidavit wherein it is stated that after completion of the work, a joint field inspection has to be done by the officials of the fourth respondent and the first respondent. Only after completion of the physical verification, his exact amount payable will be arrived and the same will be settled within the reasonable time.

6.On considering the counter-affidavit filed by the fourth respondent, this Court directed the respondents to complete the field inspection and report.

7.Accordingly, the learned counsel appearing for the fourth respondent reports that the Joint Field Inspection was completed on 28.08.2019. Based on the actual measurement taken by the Joint Inspection Team, the money payable to the petitioner is fixed as Rs.4,81,761/-. The petitioner herein was also present during the Joint Inspection and he has accepted the measurement and signed in the Joint Inspection Report as well as the amount arrived.

8.In the light of the above development subsequent to the filing of the writ petition, this writ petition is disposed of directing the respondents to disburse the money of Rs.4,81,761/- to the petitioner herein within a period of four weeks from today. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

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+1cc to Mr.K.Seetha Ram, Advocate Sr.97812

+1cc to the Government pleader Sr.98062

+1cc to the Special Government Pleader (Forest) Sr.97268

rsi[co]
srg 09/12/2019