

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2019

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. No.30193 of 2018
and
W.M.P.No.35258 of 2018

S.L.Srinivasan

... Petitioner

-Versus-

The Block Development Officer,
Panchayat Union,
Vellore,
Vellore District.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondent from conducting any tender in the respondent Panchayat Union without settling the pending payment of Rs.4,00,000/- payable to the petitioner towards the work done in the work namely over bridge and resistant wall across Kattaru situated at Pudur Panchayat and Pulimedu Panchayat and consequently direct the respondent to release the payment a sum of Rs.4,00,000/- towards the above said work.

For Petitioner : Mr.M.Rajendiran

For Respondent : Mrs.K.Bhuvaneswari
Additional Government Pleader

WEB COPY
O R D E R

This Writ Petition has been filed seeking a direction to the respondent forbearing him from calling for any tender in the respondent Panchayat Union without settling the petitioner's due.

2. The case of the petitioner is that he is a civil contractor and he has done civil work for the respondent Panchayat Union, in which a sum of Rs.4,00,000/- is due to him. While so, the Panchayat has now called for tender for renovation

of a building belonging to the Panchayat Union. The grievance of the petitioner is that despite several representations, payment due to him has not been settled by the respondents. Hence, the present writ petition.

3. Today, Mrs.K.Bhuvaneswari, learned Additional Government Pleader appearing for the respondents, filed a counter affidavit stating that the petitioner has done civil work for respondent Panchayat Union and sum of Rs.4,00,000/- is due from the respondents. According to the respondents, due non-availability of funds, payment could not be settled to the petitioner and as and when funds are received from the Government, the same would be settled to the petitioner. The learned Additional Government Pleader, on instructions, submitted that the respondents would require twelve weeks' time to settlement amount due to the petitioner.

4. Considering the submissions made by the learned Additional Government Pleader, the respondent is directed to settle the amount due to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gmd/kmk

To

The Block Development Officer,
Panchayat Union,
Vellore,
Vellore District.

+1 cc to Mr.M.Rajendiran, Advocate Sr.No.7867
+1 cc to M/s.K.Bhuvaneswari, Advocate Sr.No.8092

W.P.No. 30193 of 2018

CSL/13.03.2019