



WEB COPY

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No. 7998 of 2019
and
W.M.P. (MD) No. 6300 of 2019

S.Ashok Kumar

... Petitioner

Vs

- 1.The Director,
Town Panchayats,
Kuralagam 4th Floor,
Chennai - 600 108.
- 2.The District Collector,
Karur District,
Karur.
- 3.The Assistant Director,
Department of Town Panchayat,
Dindigul Region,
Dindigul.
- 4.The Executive Officer,
Maruthur Town Panchayat,
Maruthur,
Kulithalai Taluk,
Karur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from allotting the work for the purpose of laying road from Kuppureddipatti to Vadakku Medu Ground Level Tank, Vadakku Medu Ground level Tank to Vadakku Medu Vari to another person in Maruthur Town Panchayat, Kulithalai Taluk, Karur District without issuing notice to the petitioner.

For Petitioner: Mr.K.Guhan

For R1 to R3 : Mr.M.Rajarajan
Government Advocate

For R4 : Mrs.S.Srimathy
Special Government Pleader

**ORDER**

The writ petitioner had carried out certain contract works for the fourth respondent Panchayat. Since his bills were not honoured and settled, he did not complete the petition mentioned work. Therefore, the fourth respondent allotted the work to some other person. Contending that this should not be done, this writ petition came to be filed.

2.It is true that the writ petitioner was originally allotted with the petition mentioned work. It is also equally true that without terminating the petitioner's contract, the fourth respondent had allotted the remaining work to some other person.

3.This Court is of the view that the action of the fourth respondent is technically not correct. But then, the learned standing counsel for the respondent pointed out that the contract itself is of the year 2015 and that it is not possible for the fourth respondent to wait indefinitely. This Court, therefore, suggested that while no interference will be made in this writ petition, the fourth respondent will have to undertake that the petitioner will have to be paid for the work, he had already done.

4.The learned standing counsel for the fourth respondent gives an undertaking that within a period of four weeks, the petitioner's dues will be quantified and that the petitioner's bills will be settled. The petitioner is also at liberty to submit a comprehensive representation setting forth his claims. The fourth respondent shall deal with the issue and settle the petitioner's claims.

5.Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

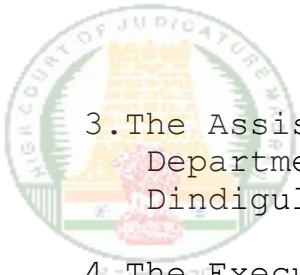
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Sub Assistant Registrar(CS)

To

1.The Director,
Town Panchayats,
Kuralagam 4th Floor,
Chennai - 600 108.

2.The District Collector,
Karur District, Karur.



3.The Assistant Director,
Department of Town Panchayat,
Dindigul Region, Dindigul.

4.The Executive Officer,
Maruthur Town Panchayat,
Maruthur, Kulithalai Taluk,
Karur District.

+1cc to Mr.K.Guhan, Advocate, SR.No.59625

+1cc to Special Government Pleader, SR.No.59917,60104

W.P. (MD) No.7998 of 2019

08.04.2019

SP/27.04.2019/ 3P/7C