



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2019

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WEB COPY

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) Nos. 13602 to 13604 of 2018 and
WMP(MD).Nos.17882 to 17884 of 2018 in

S.Stalin

: Petitioner in all W.Ps.

Vs.

1.The Director,
Municipal Administration,
Chepauk, Chennai - 600 005.

2.The Chief Engineer,
Office of the Director of Municipal,
Administration,
Chennai - 600 005.

3.The Municipal Commissioner,
Padmanabhapuram Municipality,
Thuckalay and Post,
Kanyakumari District.

4.The Secretary,
Finance Department,
Chennai.

.. Respondents in all W.Ps.

(R4 Suo motu impleaded vide Court
order dated 31.07.2018)

Prayer in WP(MD).No.13602 of 2018: This Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to disburse the bill amount of Rs.33,08,945.93/- to the petitioner, completed in terms of the tender in Na.Ka.No.E1/5231/2015 dated 01.07.2016 within stipulated time.

Prayer in WP(MD).No.13603 of 2018: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to disburse the work executed amount of Rs.5,09,856.37 to the petitioner, completed in terms of the tender in Na.Ka.No.1966/2017/E1, dated 21.12.2017 within stipulated time.

Prayer in WP(MD).No.13604 of 2018: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to disburse the work executed balance



amount of Rs.50,27,205.09 to the petitioner, completed in terms of the tender in ROC.No.2597/2015/E1 dated 02.11.2015 within stipulated time.

For Petitioner : Mr.A. Rajkumar Sen in all W.Ps.
For R1 & R2 : Mr.J. Gunaseelan Muthhiah in all W.Ps.
Additional Government Pleader
For R3 : Mr. P. Aathimoolapandian in all W.Ps.

C O M M O N O R D E R

The petitioner was a successful Contractor and he was entrusted with the petition mentioned contract works. It is not in dispute that the petitioner had completed the contract works and is entitled to the petition mentioned amounts. However, according to the respondents certain deductions have to be made towards income tax. This aspect of the matter has been clearly set out in the counter affidavit filed by the respondents.

2. The admitted amount payable to the petitioner comes to Rs.65,73,397/-. The learned Standing Counsel appearing for the third respondent states that a sum of Rs.30,00,000/- will be disbursed to the petitioner within 7 days. The submission of the learned counsel for the petitioner is placed on record.

3. This Court directs the third respondent to disburse the remaining amount to the petitioner within a period of three months from the date of receipt of a copy of this order.

4. Accordingly, these Writ Petitions are allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar

To
1.The Director,
Municipal Administration,
Chepauk, Chennai - 600 005.

2.The Chief Engineer,
Office of the Director of Municipal,
Administration,
Chennai - 600 005.



3.The Municipal Commissioner,
Padmanabhapuram Municipality,
Thuckalay and Post,
Kanyakumari District.

4.The Secretary,
Finance Department,
Chennai.

1 CC to M/s.A.RAJKUMAR SEN, Advocate (SR-53148[F] dated
12/03/2019)

W.P.(MD) Nos. 13602 to 13604 of 2018 and
WMP(MD).Nos.17882 to 17884 of 2018 in

11.03.2019

DS/ /SAR- (25.03.2019) 3 P 6C