

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2020

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.Nos.11984, 11993 & 11995 of 2020

W.P.No.11984 of 2020:

M/s.SRT Power Control,
Rep. By its Proprietor S.R.Sivaperumal,
No.9/1001, Perumal South Street,
Nagapattinam District-611 001. ... Petitioner

Vs.

1. The Additional Chief Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Fort St. George, Chennai-9.

2. The Director,
Rural Development and Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai-15.

3. The District Collector/Chairman,
District Rural Development Agency (DRDA)
Nagapattinam.

4. The Project Manager,
District Rural Development Agency (DRDA)
Nagapattinam.

5. The Secretary/District Project Officer,
District Union,
District Rural Development Agency (DRDA)
Nagapattinam.

6. The Block Development Officer,
Block Development Office,
Nagapattinam.

7. The Assistant Engineer,
Panchayat Union,
Nagapattinam.

... Respondents

W.P.No.11993 of 2020:

M/s.SRT Power Control,
Rep. By its Proprietor S.R.Sivaperumal,
No.9/1001, Perumal South Street,
Nagapattinam District.

... Petitioner

Vs.

1. The Additional Chief Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Fort St. George, Chennai-9.

2. The Director,
Rural Development and Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai-15.

3. The District Collector/Chairman,
District Rural Development Agency (DRDA)
Nagapattinam.

4. The Project Manager,
District Rural Development Agency (DRDA)
Nagapattinam.

5. The Secretary/District Project Officer,
District Union,
District Rural Development Agency (DRDA)
Nagapattinam.

6. The Block Development Officer,
Block Development Office,
Thalanayar.

7. The Assistant Engineer,
Panchayat Union,
Thalanayar.

... Respondents

W.P.No.11995 of 2020:

M/s.SRT Power Control,
Rep. By its Proprietor S.R.Sivaperumal,
No.9/1001, Perumal South Street,
Nagapattinam District-611 001.

... Petitioner

WEB COPY

Vs.

1. The Additional Chief Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Fort St. George, Chennai-9.

2. The Director,
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4. The Project Manager,
District Rural Development Agency (DRDA)
Nagapattinam.

5. The Secretary/District Project Officer,
District Union,
District Rural Development Agency (DRDA)
Nagapattinam.

6. The Block Development Officer,
Block Development Office,
Vedaranyam.

7. The Assistant Engineer,
Panchayat Union,
Vedaranyam.

... Respondents

Prayer in W.P.No.11984 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to forthwith settle the sum of Rs.17,50,000/- with 24% interest from 27.02.2017 till the date of payment to the petitioner and pay a further sum of Rs.5,00,000/- as damages in connection with the contract work (viz., Supply and erection of 20 mtr. High mast Light near Kallar Dhargah in Vadakkupoigainallur Panchayat, Nagapattinam District & Supply and erection of 20 mtr. High Mast Light Near Mela Veethi Soorasammharam place in Sikkal Panchayat, Nagapattinam District) completed by the petitioner as per work order issued by 6th respondent in Na.Ka.No.617/2016/A4 dated 21.09.2016 within a time frame fixed by the Hon'ble Court.

Prayer in W.P.No.11993 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the

issuance of Writ of Mandamus, directing the respondents to forthwith settle the sum of Rs.8,75,000/- with 24% interest from 10.03.2017 till the date of payment to the petitioner and pay a further sum of Rs.2,50,000/- as damages in connection with the contract work (viz., Supply and erection of 20 mtr. High mast Light near Neeumalai Panchayat Office, Neerumalai Panchayat, Thalanayar Block, Nagapattinam District completed by the petitioner as per work order issued by 6th respondent in Na.Ka.No.1451/2016/A2 dated 18.10.2016 within a time frame fixed by the Hon'ble Court.

Prayer in W.P.No.11995 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to forthwith settle the sum of Rs.8,75,000/- with 24% interest from 10.03.2017 till the date of payment to the petitioner and pay a further sum of Rs.2,50,000/- as damages in connection with the contract work (viz., Supply and erection of 20 mtr. High mast Light near Pushbavanam Fishermen Colony in Pushbavanam Panchayat, completed by the petitioner as per work order issued by 6th respondent in Na.Ka.No.1497/2016/A2 dated 03.10.2016 within a time frame fixed by the Hon'ble Court.

For Petitioners: Mr.R.Kuyilan

For Respondents: Mr.S.N.Parthasarathy
Government Advocate
(In W.P.No.11984 of 2020)
Mr.Annai Ezhil
Government Advocate
(In W.P.No.11993 of 2020)
Mr.E.Balamurugan
Special Government Pleader
(In W.P.No.11995 of 2020)

COMMON ORDER

These Writ Petitions have been filed for the issue of a Writ of Mandamus directing the respondents to settle the entire amount in payable for the contract work that was done by the petitioner.

2. When the matter came up for hearing on 18.09.2020, this Court passed the following order:

'Mr.S.N.Parthasarathi, learned Government Advocate takes notice for respondents 2 to 4 in W.P.No.11984 of 2020. Mr.E.Balamurugan, learned Special Government Pleader, takes notice for respondents in W.P.11995 of 2020. Mr.Annai Ezhil, learned Government Advocate, takes notice for

respondents in W.P.No.11993 of 2020. 2.The written instructions that was received by the Special Government Pleader was circulated through email. There is no dispute with regard to the amount payable to the petitioner, who was engaged for the erection of High Mast Light. The 3 rd respondent has sent a communication to the Government seeking for some ratification and thereafter the money will be released to the petitioner. 3.In view of the specific stand taken by the respondents, there shall be a direction to the 3 rd respondent to settle the entire amount due and payable to the petitioner on or before 20.11.2020. 4.Post this case under the caption " For Reporting compliance" on 23.11.2020."

3. Thereafter, the matters were posted on 23.11.2020 and the learned Government Advocate appearing on behalf of the respondents sought for some more time to report compliance.

4. Today, when the matters were taken up for hearing, the written instructions received from the 6th respondent was circulated through E-mail and it is mentioned therein that the entire amount has been paid to the petitioner. The amount has also been received by the petitioner on 10.12.2020.

5. In view of the above, no further orders can be passed in these writ petitions except recording the written instructions issued by the 6th respondent.

6. Accordingly, all the writ petitions are closed. No costs.

Sd/-

Assistant Registrar(CS IX)

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सत्यमेव जयते

Sub Assistant Registrar

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To

1. The Additional Chief Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Fort St. George, Chennai-9.

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Thalanayar.

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Panchayat Union,
Thalanayar.

10. The Block Development Officer,
Block Development Office,
Vedaranyam.

11. The Assistant Engineer,
Panchayat Union,
Vedaranyam.

+1cc to the Government Pleader Sr.41682, 41556

W.P.Nos.11984, 11993 & 11995 of 2020

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srg 03/02/2021