

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17886 of 2020

Devi,
D/o.Late Muthusamy,
No.10/470, Valparai Main Road,
Angalakuruchi Post,
Pollachi Taluk,
Coimbatore District.

... Petitioner

Vs.

1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Union Overseer,
Panchayat Union,
Annamalai Block,
Coimbatore District.

3.The Assistant Engineer (RD)
Panchayat Union,
Annamalai Block,
Coimbatore District.

4.The President,
Periyapothu Panchayat,
Coimbatore District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to disbursing of

an sum of Rs.2,47,382/- (87,173 + 90,560 + 69,649) with 18% interest from the

date of issuance of the final contract certificate dated 29.02.2016 for the contract work carried out by constructing the drainage in Periyapothu Panchayat by considering the petitioner's representation dated 09.10.2020.

For Petitioner : Mr.D.R.Arun Kumar

For Respondents : Mr.E.Balamurugan (for R1 to R3)
Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to disburse the entire amount that is due and payable to the petitioner's father after the entire contract work has already been completed by the father of the petitioner.

2.The case of the petitioner is that her father was given a contract work by the third respondent and final completion certificate was also issued on 29.02.2016 by second and third respondents. The further case of the petitioner is that her father expired on 14.05.2020. Even during his life time, he was repeatedly making representations to the respondents to settle the amount due and payable to him. After his death, the petitioner has made a fresh representation on 09.10.2020 and again requested the respondents to settle the amount. Since the same was not considered, the present Writ Petition has been filed before this Court.

3.Heard Mr.D.R.Arun Kumar, learned counsel appearing on behalf of the petitioner and Mr.E.Bala Murugan, learned Special Government Pleader for the respondents 1 to 3.

4.Taking into consideration the facts and circumstances of the case and also taking into consideration the completion certificate that has already been issued by second and third respondents, there shall be a direction to the first respondent to immediately pass appropriate orders and settle the entire amount to the petitioner within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order. A copy of the representation shall also be marked to the second and third respondents.

5.This Writ Petition is disposed of with the above directions. No costs.

11.12.2020

Index :Yes/No
Internet:Yes/No

sai/pgp

N.ANAND VENKATESH,J.

sai/pgp

To

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Coimbatore.

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