



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.7462 of 2020

Universal Construction
Represented by its Managing Partner,
S.Subburam,
S/o.Late.L.P.Srinivasan,
No.37, Ground Floor, S.S.Colony,
Madurai - 16.

... Petitioner

Vs.

1.The Special Officer of Yadhava College/
District Collector,
Madurai District, Madurai - 625020.

2.The Joint Director of Collegiate Education
Administrator of the College Madurai Region,
No.30, Vaithyanatha Iyer Street,
Shenoy Nagar, Madurai.

3.The Principal,
Yadhava College, Thiruppalai, Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the first respondent to consider the bill dated 28.03.2012 for a sum of Rs.39,23,760/- raised by the universal construction of No.37, Ground Floor, S.S.Colony, Madurai-16 towards the basement construction work carried for the "Multipurpose Indoor Stadium for Sports Training Facilities Category-I" at the campus of Yadhava College/second respondent and pay the same as expeditiously along with an interest at a rate of 12% per annum on the basis of the petitioner's representation dated 15.02.2020 and 30.05.2020.

For Petitioner	: Mr.T.Lajapathy Roy, for M/S.A.Balaji
For Respondent	: Mrs.S.Srimathy, Special Government Pleader.

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

2.The petitioner is a contractor. The petitioner had carried out certain construction works for the third respondent College. The petitioner had submitted bill for a sum of Rs.39,23,760/- on 28.03.2012. But on account of management dispute, the bill was not honoured till date. Now the Special Officer has been appointed.



The petitioner, therefore, moved this Court for directing the first respondent to consider the payment to the work done.

3.This Court directed the respondents to take instructions. It is submitted by the respondents that there is no dispute that the work was done and that there is no dispute regarding quantum also.

4.The writ petitioner filed this writ petitioner after lapse of 8 years. Therefore, I am not inclined to award interest. In fact, the petitioner is agreeable for the same. But then, the respondents will have to pay interest at the rate of 6% per month, if the payment is not made within a period of eight weeks.

5.The respondents are directed to pay the petition mentioned bill amount to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. If the payment is not made within eight weeks as directed above, the same will carry interest at the rate of 6% per month.

6.The writ petition stands allowed, accordingly. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy,shall be the responsibility of the advocate/litigant concerned.

To

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