

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.03.2021

Coram

The HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.No.7845 of 2021

Prakasam

..... Petitioner

vs

1.The Inspector of Panchayat Cum District Collector,
Nagapattinam, Nagapattinam District.

2. The Assistant Director (AD Panchayat),
Office of the Collectorate,
Nagapattinam, Nagapattinam District

3. The Block Development Officer,
Sirkali, Nagapattinam District

.... Respondents

Prayer

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to pay the amount for the work done by the petitioner based the representations dated 26.12.2016, 20.03.2017, 01.10.2018, 12.11.2019 and on 01.10.2020 within the time frame.

For Petitioner ... Mr.S.Arokia Maniraj

For Respondents ... Mr.K.K.Ramesh
Govt. Advocate

O R D E R

The petitioner, as a contractor has executed certain works like plumbing and other works in the respondent Village Panchayat during the year 2016. For the bill raised by the petitioner, the respondent has also issued five cheques bearing (i) Cheque No.194959 dated 23.09.2016 for Rs.27,300/- issued by Punganur Village Panchayat, (ii) Cheque No.126519 dated 25.09.2016 for Rs.48,250/- issued by Idakudi Vadapathi Village Panchayat, (iii) Cheque No.994262 dated 19.09.2016 for Rs.22,500/- issued by Valluvakudi Village Panchayat, (iv) Cheque No.994261 dated 22.09.2016 for Rs.25,500/- issued by Valluvakudi Village Panchayat and (v) Cheque No.194946 dated 17.09.2016 for Rs.14,000/- issued by Punganur Village Panchayat, totaling to sum of Rs.1,37,550/-.

2. After issuance of the cheques, the 3rd respondents had given instructions to the bank to stop the payment and therefore, the cheques were not realised. The petitioner made several representations from 2016, but and the same were not considered. Therefore, the petitioner has approached this Court for issuance a Writ of Mandamus directing the 3rd respondent to pay the amount for the work done by him, based on the representations dated 26.12.2016, 20.03.2017, 01.10.2018, 12.11.2019 and 01.10.2020.

3. Mr.K.K.Ramesh, learned Government Advocate takes notice for the respondents.

4. Considering the facts and circumstances of the case, this Court, without expressing any view on the merits of the claim made by the petitioner, directs the 3rd respondent to consider the representations of the petitioner dated 26.12.2016, 20.03.2017 01.10.2018, 12.11.2019 and 01.10.2020 and pass orders on the same informing the reason for non-payment of the cheque amount or to pay the cheque amount to which the petitioner is duly entitled to, within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Panchayat Cum District Collector,
Nagapattinam, Nagapattinam District.
2. The Assistant Director (AD Panchayat),
Office of the Collectorate,
Nagapattinam, Nagapattinam District
3. The Block Development Officer,
Sirkali, Nagapattinam District

+1cc to Mr.S.Arokia Maniraj, Advocate Sr.NO.19823

+1cc to Government Pleader Sr.No.19713

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NR 21/04/2021