



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.10598 of 2021

Ganesh Electricals
Rep. By its Prop. B. Kumareson

... Petitioner

vs.

1. Government of Pondicherry,
Rep. By its Chief Secretary,
Puducherry & Chairman,
Project Implementation Agency,
Government of Puducherry,
Puducherry.
2. The Project Director,
Project Implementation Agency,
Government of Puducherry,
Puducherry.
3. The Executive Engineer (Electrical),
Project Implementation Agency,
Government of Puducherry,
Puducherry.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to release the sum of Rs.4,65,48,535.57/- in Bill No.RAB 8 part dated 28.07.2020 & RAB 9 dated 09.11.2020 with interest in connection with the work done in Conversion of Low Tension overhead lines into UG cable system with service connection and street lights in Pooranankuppam (Thavalakuppam O&M) in Puducherry Coastal area under CDRRP Scheme (Package #12) allotted to the petitioner vide agreement dated 15.03.2016 under CDRRP scheme.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.C.T.Ramesh
Additional Government Pleader (Pondy)
for R1 to R3



O R D E R

This writ petition has been filed seeking a direction to the respondents to release the sum of Rs.4,65,48,535.57/- in Bill No.RAB 8 part dated 28.07.2020 & RAB 9 dated 09.11.2020 with interest in connection with the work done in Conversion of Low Tension overhead lines into UG cable system with service connection and street lights in Pooranankuppam (Thavalakuppam O&M) in Puducherry Coastal area under CDRRP Scheme (Package #12) allotted to the petitioner, vide agreement dated 15.03.2016 under CDRRP scheme.

2. According to the petitioner, while the writ petition is pending, the respondents have paid a sum of Rs.1,17,36,843/- to the petitioner and the balance amount due to the petitioner is Rs.3,48,11,691.57/- .

3. Mr.C.T.Ramesh, learned Additional Government Pleader (Pondy) for the respondents 1 to 3 would submit that the petitioner has to make a fresh application to the respondents for payment of balance amount and the same will be considered after due verification of the records and appropriate orders will be passed for disbursing the said amount to the petitioner.

4. Recording the submission of the learned counsel for the petitioner that pending the writ petition, the respondents have already paid Rs.1,17,36,843/- to the petitioner, this Court directs the petitioner to make a fresh application/representation to the second respondent seeking disbursement of the balance amount, within a period of one week from the date of receipt of a copy of this order and on such application being made, the second respondent shall consider the same and pass appropriate orders for payment of balance amount due to the petitioner, after verification of the records, within a period of twelve weeks thereafter. If there is any dispute with regard to settlement of the amount as claimed by the petitioner, it is open for the parties concerned to approach the appropriate forum as per the contract entered into between them.

5. With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Jvm



To

1. The Chief Secretary,
Government of Pondicherry,
Puducherry & Chairman,
Project Implementation Agency,
Government of Puducherry,
Puducherry.
2. The Project Director,
Project Implementation Agency,
Government of Puducherry, Puducherry.
3. The Executive Engineer (Electrical),
Project Implementation Agency,
Government of Puducherry, Puducherry.

+lcc to Mr.R.Subramanian, Advocate, S.R.No.32208

+lcc to the Government Pleader, Pondicherry, S.R.No.32376

W.P.No.10598 of 2021

SMI (CO)
BE (28/07/2021)