



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.26095 of 2021

1. Miruthi Construction,
rep. by its Proprietor,
R.Moorthy, M/48,
S/o.Ramasamy Gounder,
No.4/321, Palanigoundampalayam,
Nathagoundampalayam Post,
Palladam Taluk,
Tiruppur District.
2. Malaiyamman Constructions,
rep. by its Partner,
T.Ravikumar, M/35,
S/o.Thangaraj,
No.1/126, Aruljothi Nagar,
Uthiyur, Kundadam,
Tiruppur District.
3. Mani & Co.,
rep. by its Partner,
P.Mani, M/54,
S/o.Palanisamy,
No.6/156, Koppanagoundampalayam,
Suriyanallur Post,
Kundadam, Tiruppur District.
4. Umayal Constructions,
rep. by its Proprietor,
M.Natarajan, M/47,
S/o.Murugasamy,
No.385, Nallakinaruthottam,
63, Velampalayam Post,
Palladam, Tiruppur District.
5. V.Karuppasamy,
rep. by its Proprietor,
V.Karuppusamy, M/50,
S/o.Vaiyapuri,
No.3/715C, Sakthi Nagar,
Palladam, Tiruppur District.



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6. M.S.M. Construction,
rep. by its Proprietor,
M.S.Mani, M/54,
S/o.Muthusamy,
No.1/175-9, Mill Colony,
Pongalur, Tiruppur District.

7. S.Kuppusamy

8. T.Ravishankar

9. A.Ganesan

10. Chitra Infrass,
rep. by its Proprietor,
P.Murugesan, M/52,
S/o.Palanisamy,
No.3/774, Trichy Road,
Karanampettai, Palladam,
Tiruppur District.

11. M/s.KRE Constructions,
rep. by its Partner,
K.R.Eswaramoorthy, M/33,
S/o.Rathinasamy,
No.2-A, Unjakattuthottam,
Kundadam, Dharapuram Taluk,
Tiruppur District.

12. M/s.Sivam Builders,
rep. by its Proprietor,
P.Sivasubramaniam, M/61,
S/o.Palanisamy Gounder,
Semalaigoundampalayam,
Azhugumalai Post,
Tiruppur District.

13. A.Kanniyappan

14. Guru & Co.,
rep. by its Managing Partner,
K.Senthilnathan, M/41,
S/o.Krishnamoorthy,
No.5/115, Bismi Nagar,
M.K.Patty Post, Udumalai Road,
Pollachi, Coimbatore District.

...Petitioners

vs.

1. The Secretary to Government,
Rural Development Department,
Fort St. George, Chennai 600 009.



2. The Commissioner,
Rural Development cum Panchayat Department,
Chepauk, Chennai 600 005.

3. The District Collector/Chairman,
District Rural Development Agency,
Tiruppur District, Tiruppur.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st Respondent to pass appropriate orders on the basis of the written representation made by the Petitioners on 08.11.2021 within a stipulated time.

For Petitioners : Mr.C.Prakasam

For Respondents : Mrs.C.Sangamithirai,
Special Government Pleader

O R D E R

Petitioners have come up with this Writ Petition seeking a direction to the 1st Respondent to pass appropriate orders on their written representation dated 08.11.2021, within a stipulated time.

2. According to the Petitioners, they are registered Contractors in the Government Departments with good experience in laying roads all over the western zone of Tamil Nadu. The 3rd Respondent herein called for tenders to lay roads in rural areas under the Tamil Nadu Rural Roads Improvement Scheme, 2020-21. After accepting the tenders submitted by the Petitioners, the 3rd Respondent issued Work Orders to them vide proceedings dated 24.02.2021. On the insistence of the 3rd Respondent, Petitioners proceeded with the work by investing huge amount. After completion of 60% to 70% work, Petitioners approached the 3rd Respondent for sanction of bill amount, but, the Officials dragged on the matter and did not come forward to disburse the Bill amount. To their shock, Petitioners received a communication dated 07.07.2021 from the 3rd Respondent, informing them that, the Work Orders issued to them are cancelled on administrative ground. In that connection, the 3rd Respondent passed an order vide proceedings Na.Ka.No.635/2021/A7, dated 30.05.2021, but, the same was communicated to the Petitioners on 07.07.2021, through Post. Challenging the same, Petitioners filed W.P.No.16165 of 2021. However, they withdrew the said Writ Petition with liberty to make a fresh representation to the Respondents herein. Thereafter, Petitioners made a representation dated 08.11.2021 to the Respondents. As no orders are passed on the said representation, Petitioners are before this Court with



the above Writ Petition.

3.Learned counsel for the Petitioners submitted that, the 3rd Respondent herein may be directed to consider the representation dated 08.11.2021 made by the Petitioners, within a reasonable time.

4.Heard the learned counsel on either side as also the Officials representing the Respondents herein, and perused the material documents available on record.

5.Considering the facts and circumstances of the case and taking note of the submissions of the learned counsel on either side, this Court directs the 3rd Respondent herein to consider the Petitioners' representation dated 08.11.2021 in accordance with law, after affording an opportunity of hearing to the parties and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected W.M.P.No.27551 of 2021 is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Secretary to Government,
Rural Development Department,
Fort St. George, Chennai 600 009.
2. The Commissioner,
Rural Development cum Panchayat Department,
Chepauk, Chennai 600 005.
3. The District Collector/Chairman,
District Rural Development Agency,
Tiruppur District, Tiruppur.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.65701

+1cc to the Government Pleader, S.R.No.65282

W.P.No.26095 of 2021

RSV(CO)
RGA(30/12/2021)