

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2021

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.20833 of 2017

(Through Video Conferencing)

S.Mariammal

... Petitioner

Vs.

The Commissioner,
Thiruthuraipoondi Municipality,
Thiruthuraipoondi,
Thiruvarur District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to consider and settle the claim of the petitioner towards the expenditures, loss suffered by him in connection with the work order issued by the respondent in Na.Ka.No.5483/E1/2013 dated 30.06.2014 for carrying out the compound wall at the thiruthuraipoondi new bus stand within a time.

For Petitioner : Mr.S.Conscious Illango for
M/s.V.Kasinatha Bharathi

For Respondent : Mr.G.Rajesh, Government Advocate

O R D E R

The writ petitioner is a contractor who was engaged to construct a compound wall at Thiruthuraipoondi New Bus Stand. However, during the course of execution of aforesaid wall, the petitioner faced several obstructions from persons who were the owners of the shops situated in the vicinity. In fact, the respondent had already given a representation dated 13.03.2015 to the Inspector of Police, Thiruthuraipoondi for police protection for the officers of the Municipality and the contractor, i.e, petitioner.

2. According to the learned counsel for the petitioner, despite endeavour to complete the construction in time, the construction could not be completed. He further submitted that the petitioner has constructed about 27 concrete pillars but could not complete the construction of the compound wall for the reasons stated above. Therefore, the petitioner sent a representation dated 23.02.2017 to the respondent and asked the respondent to compensate him. The respondent has not considered the same.

3. Since no orders are proposed to be passed on merits, I direct the respondent to consider the representation dated 23.02.2017 of the petitioner within a period of 30 days from the date of receipt of a copy of this order. In case the request of the petitioner is rejected, the petitioner may work out his remedy before the Civil Court in accordance with law.

4. Accordingly, this Writ Petition stands disposed of. No cost.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

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To

The Commissioner,
Thiruthuraipoondi Municipality,
Thiruthuraipoondi,
Thiruvarur District.

+1cc to Mr.V.Kasinatha Bharathi, Advocate, S.R.No. 632

+1cc to Mr.G.Rajesh Government Advocate, S.R.No. 840

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SMI (CO)
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