



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.2640 of 2021

(Through Video Conference)

M.Veeraiyan

...Petitioner

Vs.

- 1) The Secretary to the Government of Tamil Nadu,
Department of Fisheries,
Fort St.George, Chennai 600 009
- 2) The Director of Fisheries,
No.571, Integrated Office Building,
3rd Floor, Nandanam, Chennai 600 035
- 3) The Chief Engineer,
Fisheries Department, DMS Campus,
Teynampet,
Chennai 600 006
- 4) The Executive Engineer,
Fishing Harbour Project Division,
Nagapattinam,
Nagapattinam District.
- 5) The Assistant Executive Engineer,
Fishing Harbour Project,
Sub Division, Pattukottai,
Thanjavur District.
- 6) The Junior Engineer,
Fishing Harbour Project, Section 1,
Pattukottai,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, directing the respondents 3 to 6 herein to pay the final settlement bill to petitioner in connection with the work order-No DB/D1/F600-AXXII/2017 dated 28.02.2017 construction of Net mending shed Road and Culvert at Karaiyur-Theru in Adirampattinam in Thanjavur District along with interest thereon by considering his representation dated 23.01.2021 within the time stipulated by this Court.



For Petitioner : Mr.Santhanam Rajeshkumar

For Respondent : Mrs.M.Rajeswari,
Government Advocate

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O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondent nos.3 to 6 to consider the representation made by the petitioner on 23.01.2021, wherein the petitioner has sought for the settlement of the final bill for carrying out and completing the construction work.

2. The case of the petitioner is that the Fisheries Department called for a tender to carry out a construction of Road and Culvert. The petitioner was selected as the highest bidder and he entered into an agreement with the third respondent. As per the work order, the petitioner has to complete the work on or before 28.02.2019. According to the petitioner, the work has been completed and it was also inaugurated on 24.06.2019.

3. The grievance of the petitioner is that the respondents did not make the final settlement of the bills raised by the petitioner. The petitioner made a representation in this regard on 23.01.2021 and since the same did not evoke any response, the present writ petition has been filed before this Court.

4. The learned Government Advocate appearing on behalf of the respondents submitted that the petitioner has been settled with nearly 60% of the dues and the balance amount will be settled only through National Bank for Agriculture and Rural Development (NABARD) and the same is in process. The learned Government Advocate, therefore submitted that some more time is required for the settlement of the dues to the petitioner.

5. Heard Mr.Santhanam Rajeshkumar, learned counsel for the petitioner and Mrs.M.Rajeswari, learned Government Advocate appearing on behalf of the respondents.

6. Taking into consideration the facts and circumstances of the case and the specific stand taken by the respondents, there shall be a direction to the respondents to consider the representation made by the petitioner on 23.01.2021 and settle the entire dues to the petitioner within a period of three months from the date of receipt of a copy of this order.



7. This Writ Petition is disposed of with the above direction. However, there shall be no order as to costs.

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Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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:

- 1) The Secretary to the Government of Tamil Nadu,
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Sub Division, Pattukottai,
Thanjavur District.



6) The Junior Engineer,
Fishing Harbour Project, Section 1,
Pattukottai,
Thanjavur District.

+1 CC to M/s.B.SANTHANAM RAJESH KUMAR, Advocate (SR-15904[F] dated 15/04/2021)

Order made in
W.P. (MD) No.2640 of 2021
Dated:08.04.2021

AK(26/02/2021) 4P 8C