



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11838 of 2021

N.Rajasekaran

...Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Horticulture Development Agencies,
3rd Floor, Agriculture Complex,
Ezhilagam, Chennai,
Tamil Nadu - 600 005.

2.The Superintendent Engineer,
Tamil Nadu Horticulture Development Agencies,
Race Cores Road,
Near to PTR Marriage Hall Road,
Out Post, Madurai - 625 002.

3.The Executive Engineer,
Tamil Nadu Horticulture Development Agencies,
Paraipatti,
Meenakshinayaikanpatti,
Dindigul.

4.The Assistant Director,
Tamil Nadu Horticulture Development Agencies,
Kodaikanal.

5.The Assistant Executive Engineer,
Tamil Nadu Horticulture Development Agencies,
Kodaikanal, Dindigul District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining the impugned order of the 1st respondent in LR.No.FPM2/6010/2018, dated 09.02.2021 quash the same and consequently directing the respondents to pay the amount of Rs.45,87,203/- with the 18% interest till date of the realization (i.e.,) on 23.09.2019 for the work done by the petitioner in Project No.10/2016-2017/EE/TANHODA/Chennai, dated 25.01.2017.

For Petitioner : Mr.S.Ramasundarvijayraj

For Respondents : Mr.M.Lingadurai
Government Advocate



ORDER

This writ petition has been filed challenging the impugned refusal letter issued by the first respondent, dated 09.02.2021 and for a direction to the respondents to pay the amount that is due and payable to the petitioner for the work done by the petitioner in a project.

2.Heard Mr.S.Ramasundarvijayraj, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate, appearing for the respondents.

3.It is seen from the records as well as from the impugned letter issued by the first respondent that there are disputed questions of facts. The petitioner has to necessarily claim for the relief only before a competent civil Court by letting in evidence. Since the matter involves appreciation of evidence, this Court is not inclined to entertain this writ petition.

4.Liberty is granted to the petitioner to file a suit for recovery of money before the concerned Civil Court and proceed further in accordance with law.

5.This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

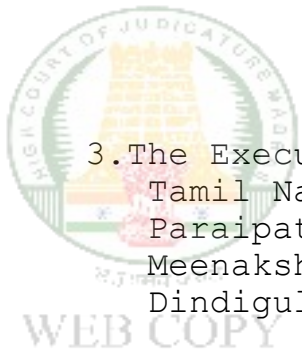
Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

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2.The Superintendent Engineer,
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<https://hcservices.courts.gov.in/hcservices>



3.The Executive Engineer,
Tamil Nadu Horticulture Development Agencies,
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Meenakshinayaikanpatti,
Dindigul.

4.The Assistant Director,
Tamil Nadu Horticulture Development Agencies,
Kodaikanal.

5.The Assistant Executive Engineer,
Tamil Nadu Horticulture Development Agencies,
Kodaikanal, Dindigul District.

+1 CC to M/s.S.RAM SUNDAR VIJAY RAJ, Advocate (SR-22876[F] dated 16/07/2021)

+1 CC to M/s.SPL GP (SR-22964[F] dated 16/07/2021)

**W.P. (MD) .No.11838 of 2021
15.07.2021**

RK (26.07.2021) 3P 8C