



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.07.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11971 of 2021

WEB COPY

D.Justin Sunder Singh

... Petitioner

Vs.

1.The Commissioner of Fisheries,
Fisheries Building,
Nandanam, Chepak,
Chennai - 600 035.

2.The Chief Engineer,
Fisheries Harbour Project,
Nandanam, Chennai - 600 035.

3.The Executive Engineer,
Fishing Harbour Project,
Collectorate Office,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus directing the respondents No. 1 to 3 to disburse the amount of Rs.1,04,46,769/- for the work done by the petitioner in work order No.35CE/2019-2020 dated 28-01-2020 on the basis of the work completion report dated 04-06-2021.

For Petitioner	: Mr.A.Rajkumar
For Respondents	: Mr.M.Lingadurai, Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the first respondent to consider the representation made by the petitioner on 21.06.2021, wherein, the petitioner has requested for disbursement of an amount of Rs.1,04,46,769/- (Rupees One Crore Four Lakhs Forty Six Thousand Seven Hundred and Sixty Nine only) for the work done by the petitioner and on the basis of the work completion report that was issued on 04.06.2021.

2. The case of the petitioner is that he is a Government Contractor and he was a successful bidder for the construction of additional auction hall at Colachel Fishing Harbour in Kanyakumari District. The petitioner entered into an agreement on 28.01.2020 in



this regard and commenced the work. The petitioner had also paid security deposit at the time of execution of the agreement.

3. The further case of the petitioner is that he has completed the work on time on 07.11.2020 and the same was scrutinized and inspected and a work completion report was also issued by the third respondent on 04.06.2021. It is also seen from records that after the completion of the work, the additional auction hall was also inaugurated by the Hon'ble Chief Minister in the month of February 2021.

4. The grievance of the petitioner is that inspite of the work completion report issued by the third respondent, the money due and payable to him was not settled and hence, the petitioner made a representation in this regard on 21.06.2021, requesting for the disbursement of the amount. Since it did not evoke any response, the present writ petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.A.Rajkumar, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the first respondent to act upon the representation made by the petitioner on 21.06.2021 and deal with the same in line with the work completion report that has been given by the third respondent on 04.06.2021 and take a decision within a period of four (4) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order.

6. This Writ Petition stands disposed of accordingly. No costs.

Sd/-

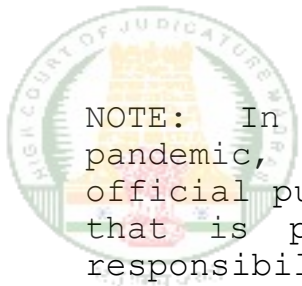
Assistant Registrar (CSII)

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/ /2021

Sub Assistant Registrar(CS)

tsg



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.

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+1 CC to M/s.SPL GP (SR-23197[F] dated 19/07/2021)

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SJ(CO)
KB(27.07.2021) 3P 5C