



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.15978 of 2021

WEB COPY

Sureshkumar,
S/o Late.Anandan,
No.219-1, D.B.Road,
R.S.Puram,
Coimbatore-641 002,
Represented by Power of Attorney,
G.Rajan

... Petitioner

Vs.

1.The Commissioner,
Kuzhithurai Municipality,
O/o. Kuzhithurai Municipality,
Vettumani Junction,
Kuzhithurai (Po),
Kanyakumari District-629 805.

2.The Engineer,
Kuzhithurai Municipality,
O/o. Kuzhithurai Municipality,
Vettumani Junction,
Kuzhithurai (Po),
Kanyakumari District-629 805.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to return the Demand Draft is Rs.26,562/- (Vetturnimadam Branch, Karnataka Bank D.D.No.793160 dated 06.06.2020) on based on the petitioner's representation dated 02.08.2021.

For Petitioner : Mr.T.Selvakumaran
For Respondents : Mr.P.Athimoolapandian
Standing Counsel

ORDER

The petitioner seeks a direction to refund the sum of Rs.26,562/- (Rupees Twenty Six Thousand Five Hundred and Sixty Two only) which was remitted by the petitioner in connection with a tender.

2.Mr.P.Athimoolapandian, learned Standing Counsel for the Municipality concerned, accepts notice on behalf of both the respondents. On instructions, he submits that a sum of Rs.26,662/-



(Rupees Twenty Six Thousand Six Hundred and Sixty Two only) was tendered to the petitioner under Cheque No.52594 drawn on the Indian Overseas Bank and dated 18.08.2021.

3.In view of the said submission, the petitioner's grievance has been redressed. In the unlikely event that the said cheque is not realized, the petitioner is granted leave to re-approach this Court.

4.Accordingly, W.P.(MD).No15978 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// 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 Commissioner,
Kuzhithurai Municipality,
O/o. Kuzhithurai Municipality,
Vettumani Junction,
Kuzhithurai (Po),
Kanyakumari District-629 805.

2.The Engineer,
Kuzhithurai Municipality,
O/o. Kuzhithurai Municipality,
Vettumani Junction,
Kuzhithurai (Po),
Kanyakumari District-629 805.

W.P (MD) No.15978 of 2021
08.09.2021