



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2021

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.14357 of 2016

R.F.L.Wilson

... Petitioner

vs.

1.The General Manager,
Southern Railway, Chennai.

2.The Chief Medical Superintendent,
Southern Railway, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents herein to honour the bills from the December 2014 to till date submitted by the petitioner towards contract agreement vide No.U/MD.52/CCC/TN, dated 29.12.2014 immediately and disburse the payment to the petitioner and also to release Bank Guarantee.

For Petitioner : Mr.AL.Kannan

For Respondents : Mr.S.Manohar

O R D E R

The present Writ Petition has been filed in the nature of Mandamus seeking a direction against the first respondent/General Manager, Southern Railway, Chennai and the second respondent/Chief Medical Superintendent, Southern Railway, Madurai, to honour the bills from December 2014 to till date submitted by the petitioner towards contract agreement vide No.U/MD.52/CCC/TN, dated 29.12.2014, and disburse the payment to the petitioner and also to release bank guarantee.

2.Heard Mr.AL.Kannan, learned Counsel for the petitioner and Mr.S.Manohar, learned Special Counsel for the respondents.

3.The petitioner was the successful bidder with respect to a tender issued by the first respondent for cleaning Tuticorin Railway Station and his contract was for the period from 30.07.2014 to 28.07.2016. There were some disputes during the pendency of the contract. But, finally I am informed by the learned Counsel for the petitioner that the contract period had come to an end and later, he was entitled for the amount to be paid to him for the bills submitted. The bills have to be submitted to Health Inspector, Tuticorin Railway Station.

4.The issue can be resolved without any controversy. The petitioner herein, is directed to furnish the bills for which



payment are required to be granted to him to the Health Inspector, Tuticorin Railway Station and the Health Inspector, Tuticorin Railway Station is directed to receive the bills and forward the same to the second respondent/Chief Medical Superintendent at Madurai, who may, on his examining the work done by the petitioner and if required by conducting a personal enquiry with the petitioner and after making such other enquiry, do the needful.

5.If there are any further amount still payable after the second respondent had passed an order on the bills submitted by the petitioner, the petitioner is also at liberty to take recourse to arbitration proceedings as envisaged under the agreement originally entered into by him with the respondents.

6.The petitioner may submit the bills before the Health Inspector, Tuticorin on or before 10.12.2021 and the Health Inspector, Tuticorin, is directed to forward the same to the Chief Medical Superintendent, Southern Railway, Madurai, on or before 21.12.2021. A direction is placed on the Chief Medical Superintendent, Southern Railway, Madurai to pass orders as aforesaid on or before 31.01.2022. If the contract between the petitioner and the respondents has actually been terminated and if the bills have been examined, then the second respondent may take decision with respect to the bank guarantee already furnished by the petitioner.

7.With the said observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Cmr

To

- 1.The General Manager,
Southern Railway, Chennai.
- 2.The Chief Medical Superintendent,
Southern Railway, Madurai.

Copy to

The Health Inspector, Tuticorin.

+1 CC to M/s.S. MANOHAR, Advocate (SR-35812[F] dated 25/11/2021)

W.P.(MD)No.14357 of 2016

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