



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1501 of 2022
and
W.M.P.No.1909 of 2022

1. R.Krishnamurthy
2. T.Kesavamoorthy
3. K.Saravana Perumal
4. L.Kumarasamy

...Petitioners

Vs

1. The Collector,
District Collector Office,
Krishnagiri District.
2. The Project Director,
District Rural Development Agency,
Krishnagiri District.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to consider the representation of the petitioners dated 01/10/2021 and reminder representation issued by the 1st petitioner dated 17/01/2022 within the time frame as that may fixed by this Honourable Court.

For Petitioners : Mr.A.Murali
For Respondents 1 and 2 : M/s. R.L.Karthika
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the second respondent to consider the representation submitted by the writ petitioners dated 01/10/2021.

2. The petitioners were successful bidders and yet to commence the business as per the terms and conditions of the lease. Under these circumstances, the petitioners submitted the



representation for refund of the deposit already made regarding refund of deposit. The respondents are bound to verify the terms and conditions of the tender which all are agreed between the parties. The conditions of tender are contractual in nature. An elaborate adjudication cannot be done in a writ proceedings. However, if at all the petitioners are entitled for any such refund, that has to be considered strictly in accordance with law. But, directions to consider the representation cannot be granted as such directions would pave way for unnecessary claims and it is possible that the petitioners may take undue advantage of such directions if any issued by the High Court. A right is to be established even for issuing such directions. Though the petitioners state that they are entitled for refund, adjudication has to be conducted as it involves certain contractual obligations and thereafter the authorities are bound to take a decision on merits and in accordance with law.

3. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

nti/Kst

To

1. The Collector,
District Collector Office,
Krishnagiri District.
2. The Project Director,
District Rural Development Agency,
Krishnagiri District.

+lcc to Mr.Annama, Advocate SR.No.7111
+lcc to the Government Pleader SR.No.7683

W.P.No.1501 of 2022

AP(CO)
GN(18/02/2022)