



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.1866 of 2022

M/s.V.S.Associates
Rep. by its Managing Partner
V.Murugesan

...Petitioner

Vs

The Managing Director
Tamil Nadu Horticulture development Agency
Chepauk, Chennai 05

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Mandamus, directing the respondent to release the balance payment due of Rs. 25 87 921/- (Rupees twenty five lakhs eighty seven thousand and nine hundred twenty one only) together with 5 percent of withheld amount of Rs.5,70,089/- (Rupees five lakhs seventy thousands and eighty nine only) in addition to that Security deposit of Rs. 3 00 000/- (Rupees three lakhs only) in total outstanding amount of Rs.34,58,010 (Rupees thirty four lakhs fifty eight thousands and ten rupees only) together with nominal interest to the petitioner forthwith for the works executed by the petitioner as per the tender acceptance in No. FBM2/6313/2016 dated 27.01.2017 on the file of the respondent by considering petitioners various representations dated 16.07.2021, 14.09.2021 and 29.10.2021.

For Petitioner : Mr.S.Doraiswamy

For Respondents : Mr.K.H.Ravi Kumar
Government Advocate

ORDER

Heard Mr.S.Doraiswamy, learned counsel for the petitioner and Mr.K.H.Ravi Kumar, learned Government Advocate for the respondent being Tamil Nadu Horticulture Development Agency.



2. The petitioner claims to be a Class-I contractor and had executed certain work for tenders being Establishment of State Horticulture Farms at Vengalam in Perambalur District and Baguthampalayam in Erode District. He would submit that despite having completed the projects successfully and handing over of the sites to the respondent, the outstandings due have still not been settled. Requests have been made by the petitioner for the past two years, to no avail .

3. Since the requests of the petitioner would require determination of various factual aspects including the crystallization of the outstandings if any, and the period of delay for the determination of interest, it would be appropriate that the respondent dispose the representation of the petitioner, wherein prayer is raised is identical to that raised in this writ petition.

4. Thus, the respondent is directed to dispose the representations of the petitioner dated 16.07.2021, 14.09.2021 and 29.10.2021 within four weeks, determine the amounts payable within eight weeks, from today and pay over the same thereafter in all. The entire exercise, as aforesaid shall be completed within a period of twelve weeks from today.

5. With the above directions, this writ petition stands disposed. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ska

To

The Managing Director
Tamil Nadu Horticulture development Agency
Chepauk, Chennai 05.

+1cc to Mr.S.Doraiswamy, Advocate, S.R.No.7871

+1cc to Mr.K.H.Ravi Kumar, Advocate, S.R.No.7966

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NRL[co]
NSK 16/02/2022