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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.10854 of 2022

S.Jayaraman

..Petitioner

Vs.

1. The Collector,
Cuddalore District,
Cuddalore.
2. The Block Development Officer,
(Village Panchayats)
Anna Gramam Panchayat Union,
Panruti Taluk,
Cuddalore District.
3. The President,
Akkadavalli Panchayat,
Anna Gramam Panchayat Union,
Akkadavalli, Panruti Taluk,
Cuddalore District.

..Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to disburse all amounts due to the petitioner for the work done under proceedings of the 1st respondent in Na.Ka.No.A3/1833/2020 dated 20.11.2020, by considering the petitioner's representation dated 26.02.2022.

For Petitioner : Mr.D.Baskar

For R1 : Mr.S.Arumugan
(Government Advocate)

For R2 : Mr.A.M.Ayyadurai
(Government Advocate)

For R3 : Ms.P.Rajarajeswari
(Government Advocate)



O R D E R

This Writ Petition is filed by the petitioner seeking for a direction to the respondents to disburse all amounts due to him, for the work done under proceedings of the 1st respondent in Na.Ka.No.A3/1833/2020 dated 20.11.2020, by considering the petitioner's representation dated 26.02.2022.

2.By consent of the learned counsel appearing for the petitioner as well as the learned Government Advocates who take notice for the respondents 1 to 3, the matter is taken up for final disposal at the admission stage itself.

3.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocates appearing for the respondents 1 to 3 and perused the entire materials available on record.

4.According to the petitioner, he was a Contractor for laying pipe lines for supply of water to houses in Vellangadu Village, within Akkadavalli Panchayat. The 1st respondent issued work order to the petitioner on 20.11.2020 for a total sum of Rs.9,62,000/-. After finishing half the work, he forwarded a bill for Rs.4,81,386/-. The 2nd respondent sanctioned the said bill for Rs.4,45,289/-, after deducting a sum of Rs.36,097/- and directed the 3rd respondent to pay the said amount through RTGS to the petitioner. But till today, the petitioner has not received the said amount. In the mean time, the petitioner completed remaining half of the work also and thus, completed the entire contract work in the month of December, 2021. Hence, the petitioner submitted another bill for Rs.5,16,711/-. The Additional Collector, Cuddalore forwarded the said bill to the Assistant Executive Engineer (Village Development), Cuddalore, by his communication dated 21.12.2021, to conduct enquiry and submit a report.

5.The learned counsel appearing for the petitioner submitted that water connections have been provided and pipes were laid under the Jal Sakthi Scheme, implemented by the Central Government. In view of the same, the funds are available with the respondents. After completing the work, petitioner is entitled to claim the amount as per the bill and send representation to the respondents. Since, no action has been taken on the said representation, the petitioner has come out with the present Writ Petition. The learned counsel appearing for the petitioner referred to order of the 2nd respondent dated 20.07.2021 and letter of the Additional Collector, Cuddalore dated 21.12.2021 filed in the typed set of papers.

6.The learned Government Advocates appearing for the



respondents 1 to 3, on instructions, separately submitted that the bills are under process and within a week, entire amounts will be given credit to the petitioner's account.

7. From the above materials, it is seen that the petitioner has completed the work allotted to him, as per the work order dated 20.11.2020, in the month of December, 2021 and submitted two bills for a sum of Rs.4,81,386/- and Rs.5,16,711/-. As far as the first bill is concerned, the 2nd respondent ordered payment of Rs.4,45,289/- by his proceedings dated 20.07.2021, after deducting Rs.36,097/- and directed the 3rd respondent to pay the said amount to the petitioner through RTGS. The said order is dated 20.07.2021. But the 3rd respondent has not paid the amount till date. As far as the second bill for Rs.5,16,711/- is concerned, the Additional Collector, Cuddalore, by letter dated 21.12.2021, directed the Assistant Executive Engineer (Village Development), Cuddalore, to conduct enquiry and file report. So far, no amount is paid to the petitioner.

8. Mr. S. Arumugan, learned Government Advocate appearing for the 1st respondent as well as the learned Government Advocates appearing for the respondents 2 and 3 submitted that the bills submitted by the petitioner are under process and amounts will be paid within a week. In view of the above, the respondents are directed to pay the eligible amount to the petitioner as per the work order, within a period of four weeks from the date of receipt of a copy of this order, taking into consideration the representation of the petitioner dated 26.02.2022, work order dated 20.11.2020 issued by the 1st respondent and contention of the petitioner that he has completed the entire work in the month of December, 2021.

With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Collector,
Cuddalore District,
Cuddalore.



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2. The Block Development Officer,
(Village Panchayats)
Anna Gramam Panchayat Union,
Panruti Taluk,
Cuddalore District.

3. The President,
Akkadavalli Panchayat,
Anna Gramam Panchayat Union,
Akkadavalli, Panruti Taluk,
Cuddalore District.

+2cc to Mr.D.Baskar, Advocate, S.R.No.29250

+1cc to Mrs.P.Rajarajeshwari, Advocate, S.R.No.29469

+1cc to the Government Pleader, S.R.No.29687

W.P.No.10854 of 2022

PA(CO)

RGA(25/05/2022)