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W.P.No.11918 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.07.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.11918 of 2020

Mr.P.Velmurugan
P.W.D Contractor,
No.130, Main Road,
Lawspet, Puducherry – 605008.

.. Petitioner

Vs.

1.The Executive Engineer,
Buildings & Roads (North) Division,
Public Welfare Department,
Puducherry.

2.The Superintendent Engineer,
Circle I, Public Welfare Department,
Puducherry.

3.The Chief Engineer,
Public Welfare Department,
Puducherry.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 11.08.2020 as a matter of grave urgency within a time frame fixed by this Hon'ble Court.



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For Petitioner : Mr.A.Rajarajan

For Respondents : Mr.C.T.Ramesh
Additional Government Pleader (Puducherry)

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 11.08.2020, requesting the respondents to settle the dues of the petitioner and pass final orders, within a time frame fixed by this Court.

2. The petitioner claims that he was a Contractor for the respondents and he completed the works in the year 2016. According to the petitioner, the respondents have not paid the balance amount of Rs.9,88,000/-, despite the completion of the works. The petitioner has given a representation dated 11.08.2020 to the respondents seeking for payment of the alleged outstanding amount. Since the representation has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.A.Rajarajan, learned counsel for the petitioner and Mr.C.T.Ramesh, learned Additional Government Pleader appearing for the respondents.



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4. The learned counsel for the petitioner drew the attention of this Court to the documents filed along with the Writ Petition including the proceedings of the first respondent dated 06.01.2017, under which the first respondent has recommended to the third respondent to process the petitioner's request for payment of the balance amount.

5. No prejudice will be caused to the respondents if the petitioner's representation, requesting for payment of the balance amount of Rs.9,88,000/- which according to the petitioner is due to him in respect of the work done by him, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.

6. Since the representation given by the petitioner on 11.08.2020 is an old representation, the petitioner will have to give a fresh representation.

7. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the third respondent, requesting for payment of the balance amount of Rs.9,88,000/- which according to the petitioner is due from



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the respondents for the contract works done by him in the year 2016, within a period of one (1) week from the date of receipt of a copy of this order and on receipt of the said representation, the third respondent shall pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting him the right of personal hearing, within a period of eight (8) weeks thereafter. The petitioner shall produce all the relevant documents to substantiate his claim that he is entitled to receive Rs.9,88,000/- from the respondents for the contract work done by him in the year 2016.

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

01.07.2022

Speaking/Non-speaking order
Index: Yes/No

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To
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ABDUL QUDDHOSE,J.

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