



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.16908 of 2021

Malladi Samuel

.. Petitioner

Versus

1.The Union Territory of Puducherry

Rep by the Additional Secretary (Ind & Commerce)

cum co-ordinator - CST Committee

Department of Industries & Commerce

Puducherry

2. The Chief Engineer

Public Works Department

Puducherry

3. The Executive Engineer

Public Works Department

Yanam - 533 464

.. Respondents

Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the first respondent to release a sum of Rs.12,55,288/- (Rupees Twelve Lakhs Fifty Five Thousand Two Hundred and Eighty Eight Only) that is due to the petitioner within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.V.S.Senthilkumar

For Respondents: Mr.C.T.Ramesh

Additional Government Pleader (Puducherry)

O R D E R

Mr.C.T.Ramesh, learned Additioner Government Pleader takes notice for the respondents. By consent of both the parties, this matter is taken up for final disposal at the admission stage itself.

2. The facts of the case are as follows:

The Public Works Department, Puducherry decided to execute certain works under the Corporate Social Responsibility of M/s.Gujarat Social Petroleum Corporation Limited in Yanam Municipality and also the department decided for construction of fish drying platform adjacent to the foot bridge in Guirempeta village, Yanam, for which, the Public Works Department (PWD) floated tender notifications. The petitioner has quoted the lowest tender and the work order was awarded to the petitioner. Inspite of completing more than 90% of the work, which was allotted to the petitioner, the PWD has not



released the payment that is due to the petitioner. The petitioner approached the officials and requested to release the fund. But the officials have not to do so. Without having no other alternative, the petitioner has filed the present petition before this Court seeking appropriate remedy.

3. The learned counsel for the petitioner submitted that this Court may issue necessary directions to the respondents to release the remaining amount to the petitioner within the stipulated time as fixed by this Court.

4. The learned Additional Government Pleader appearing on behalf of the respondents submitted that as directed by the Regional Administrator, vide his letter dated 10.03.2020, the balance amount will be released to the petitioner within the time frame as fixed by this Court.

5. Heard the learned counsel appearing on behalf of the petitioner and the learned Additional Government Pleader appearing on behalf of the respondents and perused the materials available on record.

6. The learned Additional Government Pleader has fairly submitted that the remaining amount will be paid to the petitioner as per the order dated 10.03.2020. Considering the facts and circumstances of the case and the submission made on either side, this Court directs the first respondent to implement the order dated 10.03.2020 within a period of eight weeks from the date of receipt of a copy of this order on merits and in accordance with law.

7. Accordingly, the writ petition stands disposed of with the above terms. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Additional Secretary (Ind & Commerce)
Union Territory of Puducherry
cum co-ordinator - CST Committee
Department of Industries & Commerce
Puducherry



2. The Chief Engineer
Public Works Department
Puducherry

3. The Executive Engineer
Public Works Department
Yanam - 533 464

+1 cc to Government Pleader Sr.NO. 5454

+1 cc to Mr.V.S.Senthilkumar, Advocate Sr.NO. 4664

W.P.No.16908 of 2021

kg (CO)

A.SK (03/03/2022)