



W.P.No.25721 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.25721 of 2022

T.Shanmugasundaram

.... Petitioner

-Vs-

The District Collector / Chairman
District Rural Development Agency
Erode District, Erode.

.... Respondent

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to disburse the balance amount of Rs.11,21,294/- being work done by the petitioner for strengthening the road together with interest to the petitioner by taking note of the respondent proceedings in RoC No.1836/2019/A-11 dated 08.11.2021.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.P.Baladandayutham
Special Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondent to disburse the balance amount of Rs.11,21,294/- being work done by the petitioner for strengthening the road together with interest to the



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petitioner by taking note of the respondent proceedings in RoC No.1836/2019/A-11 dated 08.11.2021.

2. The petitioner is a contractor who had undertaken some road works for the respondent District Collector / District Rural Development Agency, Erode District. The works were completed and based on which proceedings was issued by the respondent on 08.11.2021 under which out of the total amount of Rs.32,57,508/- a sum of Rs.11,21,294/- has not been paid to the petitioner for the reason that the said amount could not be paid or it has been withheld for want of funds.

3. Though the said proceedings were issued by the respondent on 08.11.2021, till date the said amount has not been disbursed and therefore, in this regard the petitioner has given a representation on 18.04.2022 and since the same also was not considered so far, the petitioner has filed the present writ petition with the aforesaid prayer.

4. Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.P.Baladandayutham learned Special Government Pleader appearing for the respondent.



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5. Learned Special Government Pleader appearing for the respondent would submit that, if the said amount of Rs.11,21,294/- has not been paid and it has been withheld for want of funds as per the proceedings of the respondent / District, it would be ascertained as to whether still the amount has not been disbursed to the petitioner and if so, steps would be taken at the earliest to disburse the said amount and in this regard the representation submitted by the petitioner would be considered and decided within a time frame that may be stipulated by this Court.

6. In view of the aforesaid and having regard to the said submission made by the learned Government Counsel, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the respondent to consider the representation of the petitioner dated 08.03.2022 in the light of his proceedings dated 08.11.2021 and pass necessary orders with regard to the claim of the petitioner for disbursement of the amount of Rs.11,21,294/- which was withheld by the said proceedings dated 08.11.2021 for want of funds



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and accordingly pass final orders with regard to the sanction of the said amount to the petitioner within a period of four weeks from the date of receipt of a copy of this order.”

7. With the above direction, this writ petition is disposed of. No costs.

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Index : Yes/No
Internet : Yes/No
KST
To

The District Collector / Chairman
District Rural Development Agency
Erode District, Erode.



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R. SURESH KUMAR, J.

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