



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.26423 of 2021 and
W.M.P.No.27887 of 2021

M/s.KCP Engineers Pvt Ltd.,
Reg. Office at No.4,
Ground Floor, Aalayam Space,
Ananda Road, Alwarpet,
Chennai - 600 018.
Rep. By its Director,
K.Muthukumarasamy

... Petitioner

Vs

The Commissioner,
Greater Chennai Corporation,
Ripon Building, Poonamallee High Road,
Chennai - 600 003.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to disburse the bill amount of Rs.3,09,82,000/- (Rupees Three Crores Nine Lakhs Eighty Two Thousand only) to the petitioner, towards the value of the work done (Improvement to the Bus Route Roads, Forming footpath to BRR Roads and Construction of Multilevel car Parking) by the petitioner in Chennai Corporation by considering petitioner's various representations dated 12.10.2021, 09.11.2021 and 15.11.2021.

For Petitioner : Mr.S.Doraisamy

For Respondents : Ms.P.T.Ramadevi
Standing Counsel

O R D E R

The prayer sought for herein is for a writ of mandamus directing the respondents to disburse the bill amount of Rs.3,09,82,000/- (Rupees Three Crores Nine Lakhs Eighty Two Thousand only) to the petitioner, towards the value of the work done (Improvement to the Bus Route Roads, Forming footpath to BRR Roads and Construction of Multilevel car Parking) by the petitioner in Chennai Corporation by considering the petitioner's various representations dated 12.10.2021, 09.11.2021 and 15.11.2021.



2. The petitioner is a contractor and he has been entrusted various works like construction of Bus Route Roads, forming footpath to BRR Roads and construction of Multilevel Car Parking at the respondent Corporation. The petitioner, having undertaken the work, has completed the said works and after having completed the said work, the petitioner also had submitted the necessary bills for claiming the amount to the extent of Rs.3,09,82,000/-.

3. Though the bills were submitted early, since no positive action had come to clear the bills and the amount since has not been paid, the petitioner has given several representations in this regard to the respondents on 12.10.2021, 09.11.2021 and lastly on 15.11.2021.

4. Despite these representations have been made by the petitioner, since the respondent has not come forward with any positive result for clearing the bills and to make the payment to the petitioner, the petitioner has approached this Court by filing the present writ petition with the aforesaid prayer.

5. Reiterating the aforesaid, the learned counsel for the petitioner seeks indulgence of this Court to issue a suitable direction to the respondent to clear the bills, if it is otherwise in order.

6. On notice, Ms.P.T.Ramadevi, learned Standing Counsel appearing for the respondent Corporation, on instruction, today has submitted that, the respondent Corporation already processed the bill submitted by the petitioner and in this regard, according to the learned Standing Counsel's instruction from the respondent Corporation, the bills have already been cleared and the necessary amount against such bills would be paid to the petitioner within a shortest possible period, probably within three to four weeks from today.

7. I have considered the said submissions made by the learned counsel appearing for the parties and have perused the materials placed before this Court.

8. Insofar as the said stand taken by the respondent through the learned Standing Counsel appearing for the respondent Corporation, where, the bills submitted by the petitioner, having been cleared, the amount would be disbursed to the petitioner within a shortest possible time i.e. within a period of three or four weeks, this Court is of the view that, recording the said submission made by the learned Standing Counsel appearing for the respondent, this writ petition can be given a quietus.

9. Accordingly, this Writ Petition is disposed of, by recording the said submission of the learned Standing Counsel appearing for the respondent Corporation that, the bill amount



claimed by the petitioner as covered in the prayer sought for in this writ petition, would be cleared and the amount shall be disbursed to the petitioner within a maximum period of four weeks from today.

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10. With this direction, this Writ Petition is disposed of accordingly. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

Sgl

To

The Commissioner,
Greater Chennai Corporation,
Ripon Building, Poonamallee High Road,
Chennai - 600 003.

+1cc to Mr.S.Doraisamy, Advocate SR. No.2370
+1cc to Ms.P.T.Ramadevi, Advocate SR. No.2354

W.P. No.26423 of 2021

PL (CO)
PR (31/01/2022)