



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.10497 of 2022

S.Sethudurai

... Petitioner

-Vs-

1.The Director,
Rural Development and
Panchayat Raj Department,
Panagal Maligai,
Saidapet, Chennai-15.

2.The Secretary,
Rural Development and
Panchayat Raj Department,
Secretariat, Chennai.

3.The District Collector,
(District Rural Development Agency),
Thenkasi District.

4.The Scheme Director,
Panchayat Raj Department,
(District Rural Development Agency) (DRDA),
Thenkasi District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to disburse the bill amount payable to the petitioner in respect of completion of work of strengthen of road comes under Kadayanallur Panchayat union as per the orders passed by the fourth respondent in order to release petitioner's Bill amount from the 80% CGF 2019-2020 scheme account, dated 12.12.2020, 29.04.2021 and 11.08.2021 and in the light of the petitioner representation, dated 03.01.2022 and 10.05.2022 within a stipulated time fixed by this Court.

For Petitioner : Mr.C.Iyyapparaj

For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader



ORDER

The prayer sought for herein is for a writ of mandamus directing respondents to disburse the bill amount payable to the petitioner in respect of completion of work of strengthening of road comes under Kadayanallur Panchayat union as per the orders passed by the fourth respondent in order to release petitioner's Bill amount from the 80% CGF 2019-2020 scheme account, dated 12.12.2020, 29.04.2021 and 11.08.2021 and in the light of the petitioner representation, dated 03.01.2022 and 10.05.2022 within a stipulated time fixed by this Court.

2. The petitioner was a contractor under the Rural Development Department and he had undertaken certain works in the year 2019-2020. After completion of the work, though the bills have been submitted and the same having been considered and was approved and a direction was given by the third respondent on 12.12.2020, 29.04.2021 and 11.08.2021 to release the 80% of the CGF fund of the year 2019-2020 through RTGS and pay to the petitioner, so far, the fourth respondent has not released the fund and the amount has not been paid to the petitioner. In this regard, though the petitioner has made several representations and last such representation was made on 03.01.2022, since no action was forthcoming from the respondents, especially, from the fourth respondent, the petitioner has moved this writ petition.

3. Heard the learned counsel appearing for the petitioner, who would submit that after the District Collector concerned, having verified the work completion, has ordered to release the payment, but the payment is yet to be released by the fourth respondent from the CGF fund of the year 2019-2020. Therefore, a suitable direction may be given to the fourth respondent to release the fund and pay the amount payable to the petitioner.

4. Heard the learned Additional Government Pleader appearing for the respondents, who would submit that, if already the Collector passes an order, based on which, the fund would be allotted and released to the petitioner by the fourth respondent.

5. Considering the said submission and taking into account the circumstances of the case, this Court is inclined to dispose of the writ petition with the following orders:-

"that there shall be a direction to the fourth respondent to release the fund and pay the amount payable to the petitioner as per the order of the third respondent/District Collector, dated 12.12.2020, 29.04.2021 and 11.08.2021 respectively, to the petitioner through RTGS within a period of four weeks from the date of receipt of a copy of this order.



6. With this direction, this writ petition is disposed of. No costs.

Sd/-

Vacation Officer/
Assistant Registrar

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// True Copy //

28/05/2022

Sub Assistant Registrar(CS)

vrn/am

To

- 1.The Director,
Rural Development and
Panchayat Raj Department,
Panagal Maligai,
Saidapet, Chennai-15.
- 2.The Secretary,
Rural Development and
Panchayat Raj Department,
Secretariat, Chennai.
- 3.The District Collector,
(District Rural Development Agency),
Thenkasi District.
- 4.The Scheme Director,
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