



W.P(MD)No.11488 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11488 of 2022

M.Kandasamy

... Petitioner

Vs.

The Executive Engineer,
Urban/South/Arasaradi – Section Office,
Tamil Nadu Electricity Board,
S.S.Complex, A.A.Road,
Arasardi, Madurai – 16,
Madurai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to refund the petitioner's amount which has been remitted by petitioner towards the work namely DCW HT Line, on 31.01.2020 in the light of his representation dated 26.04.2022 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For Respondent : Mr.S.Deenadhayalan,
Standing Counsel.



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ORDER

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Heard the learned counsel on either side.

2.The petitioner has remitted a sum Rs.2,22,150/- towards the petition mentioned work. The said work could not be carried out. Therefore, the respondent was obliged to return the same. Since the deposited amount was not returned even after repeated request, the present writ petition came to be filed.

3.I cannot approve the conduct of the respondent herein. A sum of Rs.2,22,150/- was deposited by the petitioner only for a certain purpose. The respondent has also issued receipt on 31.01.2020. The work should have been finalized and implemented within a reasonable period thereafter. For more than 2 ½ years nothing has happened. Therefore, the respondent is directed to return the aforesaid amount with interest at the rate of 6% per annum within a period of eight weeks from the date of receipt of a copy of this order.

4.The writ petition is allowed on these terms. No costs.

20.06.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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