



W.P(MD)No.9448 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9448 of 2019

M.Murugesan

... Petitioner

Vs.

1.The Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, St.George Fort,
Chennai.

2.The Director of Rural Development and Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 15.

3.The District Collector Cum Chairman,
District Rural Development Agency,
Pudukkottai District.

4.The Project Director,
District Rural Development Agency,
Pudukkottai District.

5.The Executive Engineer,
District Rural Development Agency,
Pudukkottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to return the EMD and security deposit of 10% totalling a sum of Rs.17,65,000/-



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deposited by the petitioner in respect of the work in PMGSY -Phase II, Package No.TN-13-04 along with the interest.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.M.Lingadurai,
Spl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioner had carried out certain contract works for the respondents. The petitioner would claim that a sum of Rs.17,65,000/- has to be returned to him. It is not in dispute that the contract works were performed way back in the year 2005. Counter affidavit was filed to the effect that records could not be traced and that after ascertaining what is liable to be refunded, the said amount will be paid.

3.During the pendency of the writ petition, a sum of Rs.7,05,952/- was paid to the petitioner. What is still lying with the respondents is only the bond executed by the writ petitioner. The respondents undertake to hand over the same to the petitioner immediately. It is open to the petitioner encash the same.



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4. Recording the aforesaid submissions of the learned Special Government Pleader, the writ petition is disposed of. No costs.

21.12.2022

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

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