



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 07.09.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.16744 of 2019

P.K.R.Ravindrakumar

..Petitioner

Vs

The Commissioner,
Madurai Municipal Corporation,
Madurai.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to disburse the bill amount for the works completed pursuant to the work order, dated 2.2.2021 by considering the representation of the Petitioner, dated 13.07.2022.

For Petitioner : Ms.M.Mohana Bail
for M/s.J.Anandkumar

For Respondent : Mrs.S.Devasena
Standing Counsel

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the respondent to disburse the bill amount for the works completed pursuant to the work order, dated 2.2.2021 by considering the representation of the Petitioner, dated 13.07.2022.



2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The case of the Petitioner is that the Petitioner is a registered Contractor with the respondent and had carried out several works with the respondent and had completed the same in time without giving any room for any complaints. Whiles, the Petitioner was awarded with contract work vide work order in Ma/Po.4/Ma.No.593/2022-21, dated 2.2.2021 and 8.2.2021 to construct a bridge on Amaithicholai Main Road at Zone 4, Ward No.97. As per the work order, the Petitioner has completed the work within the stipulated time. On inspection of the Engineers of the respondent Municipal Corporation, they have requested the Petitioner to construct safety walls on either side of the bridge, which was not included in the estimate. On the promise that the expenditure incurred for the construction of the safety walls will be included as additional expenditure in the main work, the said safety walls were constructed at a cost of Rs.10 lakhs, over and above the estimate amount. After completion of the said work, the Petitioner has submitted a representation for settling the bill amount, however, there is no response from the respondent. Hence the Petitioner had filed a Writ Petition in W.P(MD)No. 18042 of 2021 and this Court by order, dated 6.10.2021 directing the respondent to consider the representation within three months, but the same was rejected by the respondent. Thereafter, the Petitioner



submitted a detailed representation, dated 13.7.2022 to the respondent, which was duly acknowledged by the respondent. Since there was no response from the respondent till date, the Petitioner has filed this Writ Petition for the relief stated supra.

4. The learned Standing Counsel appearing for the respondent Municipal Corporation would submit that the Petitioner's representation will be considered within the time stipulated by this Court.

5. In view of the above said submission made on either side, this Court directs the respondent to consider the case of the Petitioner based on the representation submitted by him on 13.07.2022 and on the basis of documents and materials to be produced by the Petitioner herein, decide the issue after giving an opportunity of hearing to the Petitioner and other interested parties, if any, and pass appropriate orders in accordance with Law, within a period of 8 weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition stands disposed of. No costs.

07.09.2022

Index : Yes/No

Internet: Yes/No

vsn



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To

The Commissioner,
Madurai Municipal Corporation,
Madurai.



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V.BHAVANI SUBBAROYAN,J

vsn

ORDER MADE IN

W.P(MD)No.16744 of 2022

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