



W.P.(MD)No.19384 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.19384 of 2022

and

W.M.P.(MD)No.14149 of 2022

M.Murugesan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary,
Rural Development and Panchayat Raj Department,
Fort St.George, Secretariat,
Chennai-600 009.

2.The Director of Rural Development and Panchayat,
Raj Department, Panagal Building,
Saidapet, Chennai-600 015.

3.The Chairman, District Rural Development Agency,
Pudukkottai District cum the District Collector,
Pudukkottai District.

4.The Project Director,
District Rural Development Agency,
Rural Development and Panchayat Raj Department,
Kattupudukulam,
Pudukkottai District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents herein to settle the pending amount of Rs.715 lakhs for laying of roads under the schemes of

<https://www.mhc.tn.gov.in/judis> NABARD XXV, TNRRIZ 2019-20, CGF 80% 2019-20 with an interest of 8



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percent till the payment of money and within the time frame fixed by this Court.

For Petitioner : Mr.M.Rajarajan

For Respondents : Mr.K.Christy Theboral
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents to settle the amount of Rs.715 lakhs for laying of roads under the schemes of NABARD XXV, TNRRIZ 2019-20, CGF 80% 2019-20 with an interest of 8 percent till the payment of money and within the time frame fixed by this Court.

2. Heard Mr.M.Rajarajan, learned counsel appearing for the petitioner and Mr.K.Christy Theboral, learned Additional Government Pleader, who takes notice for the respondents. By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he is a registered State Level First Class Contractor with the Government of Tamil Nadu. In the year 2019-20 The third respondent issued a tender notification for executing various works under various schemes. The petitioner participated in the said tender and he was the successful bidder in respect of the work namely, laying of rural roads



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in Pudukkottai District [rural roads in Pudukkottai District at an estimated cost of Rs.715 lakhs] and work order was issued to him. On completion of the said work, the third respondent had inspected and verified the completion of work and now the same is used by the general public. The fourth respondent, being the Project Director, is liable to release the amount as per the orders of the third respondent. However, the fourth respondent has not paid the said amount till date. Hence, the petitioner requested him in person on several occasions and also made representations, dated 16.08.2022 and 18.07.2022, seeking payment of the said amount. However, no steps have been taken to disburse the said amount. As the fourth respondent has caused undue delay in paying the said amount, the petitioner is entitled to interest at the rate of 18% per annum. Hence, the petitioner has approached this Court by way of filing the present Writ Petition.

4.The learned Additional Government Pleader appearing for the respondents submitted that due to some constraints, the respondents could not pay the amount to the petitioner. The amount would be paid to the petitioner as and when the same would be disbursed by the second respondent.

5.The petitioner having completed the work, the respondents are liable to pay the amount due to the petitioner. Hence, this Court directs the second



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respondent to disburse the amount as expeditiously as possible, preferably, within a period of twelve [12] weeks from the date of receipt of a copy of this order, so as to enable the fourth respondent to disburse the amount to the petitioner. It is left open to the petitioner, who can proceed further seeking interest in the manner known to law, if the said amount is not disbursed to him within the time limit prescribed by this Court.

6.This Writ Petition stands disposed of with the above direction. No costs.

24.11.2022

Index : Yes/No
Internet : Yes/No
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To

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- 2.The Director of Rural Development and Panchayat,
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District Rural Development Agency,
Rural Development and Panchayat Raj Department,
Kattupudukulam,
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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