



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Twelfth day of October Two Thousand and Twenty Two

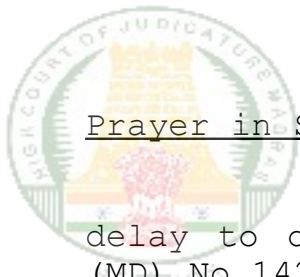
PRESENT

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The Hon`ble Mr.Justice R.VIJAYAKUMAR

SUB A(MD). No.32 of 2016
in
CONT P(MD).No.1425 OF 2015

1. N.S.Palaniappan
The Secretary to Government,
Public Works Department,
St., George Fort, Secretariat,
Chennai - 600 009.
 2. S. Thirumaran,
The Engineer in Chief,
(Water Resources Organization) &
Chief Engineer (General),
Public Works Department,
Chepuak, Chennai-600 005.
 3. P.L.Valliappan,
The Chief Engineer,
Public WorkS Department,
Water Resources Organization,
Madurai Region, Thallakulam,
Madurai.
 4. S. Muruga Subramanian,
The Superintending Engineer,
Public Works Department,
Water Resources Organization,
Periyar Vaigai Basin Circle,
Madurai.
 5. R. Mathavan,
Executive Engineer,
Water Resources Organization,
Periyar Dam Special Division,
Cumbum, Theni District ... Petitioners/Respondents/
Respondents
- Vs
- N.Kannan ... Respondent/Petitioner/
Petitioner



Prayer in Sub A(MD).No.32 of 2016 :-

Petition filed under Section 151 of C.P.C to condone the delay to deposit the amount as directed by this Court in CONT P. (MD).No.1425 of 2015 in WP.(MD).No.17152/2013 dated 25.01.2016 and the time may be extended for the deposit by the petitioners / respondents and thus render justice.

Prayer in Cont P(MD).1425 of 2015 :-

This Petition filed under Section 11 of Contempt of Courts Act, praying this Court to issue statutory Notice and punish the respondents under the provisions of Contempt of Courts Act 1971 for wilful and deliberate disobedience of the order passed by this Honourable Court in M.P(MD).No.1 of 2013 in W.P(MD)No.17152 of 2013 dated 16.07.2015.

Prayer in MP(MD). 1 of 2013 in WP(MD).17152/2013 :

Writ Petition praying that in circumstance stated therein and in the affidavit filed therewith the High Court will be pleased to direct the 4th and 5th respondents to disburse a sum of Rs. 20,65,524/- (Rupees twenty lakhs and sixty five thousand five hundred and twenty four only) to the petitioner towards the admitted amount of tender Value agreement No. 08DL/2012-2013 without prejudice to the rights of the petitioner, pending disposal of the above Writ Petition.

Prayer in W.PMD).17152 of 2013 :-

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned Letter vide Ka.No.118m / va.pa/va.a.2/ ko.46(11)/2013 dated 10.09.2013 and consequential letter vide Ka.No./va.pa/va.a.2/ko.46(11)/2013 dated 03.10.2013 issued by the 5th respondent and quash the same and consequently direct respondents to reschedule the quantity of work carried out by the petitioner and prepare finished level chart with help of expert committee consisting of 4th and 7th respondents and disburse the amount payable to the petitioner on the basis of reschedule.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.Veera Kathiravan, Additional Advocate General assisted by Mr. B.Saravanan, Additional Government Pleader for the Petitioner and of Mr. D.Shanmugaraja Sethupathy, Advocate for the Respondent, this Court made the following order:

The present application has been filed, seeking extension of time for depositing the amount as directed by this Court in Cont. P (MD)No.1425 of 2015 on 25.01.2016. As per the orders passed in the



said contempt petition, the respondents were directed to deposit a sum of Rs.3,10,954/- before this Court within a period of 14 days from the date of receipt of a copy of this order.

2. According to the learned Additional Advocate General appearing for the respondents, though the demand draft was made ready, it could not be deposited before the Court, within the time specified in the order. Hence, the said application has been filed in the year 2016. Now, the learned Additional Advocate General has produced a revalidated demand draft for the said amount directed by this Court in Cont. P(MD)No.1425 of 2015. In view of the above said facts, time is extended till 19.10.2022. The respondents are directed to deposit the said amount before this Court on or before 19.10.2022.

3. The Sub Application stands allowed.

Sd/-

Assistant Registrar()

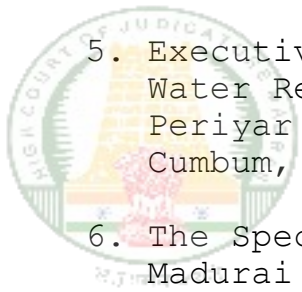
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12/10/2022

Sub Assistant Registrar(CS)

TO

1. The Secretary to Government,
Public Works Department,
St., George Fort, Secretariat,
Chennai - 600 009.
2. The Engineer in Chief,
(Water Resources Organization) &
Chief Engineer (General),
Public Works Department,
Chepuak, Chennai-600 005.
3. The Chief Engineer,
Public Works Department,
Water Resources Organization,
Madurai Region, Thallakulam,
Madurai.
4. The Superintending Engineer,
Public Works Department,
Water Resources Organization,
Periyar Vaigai Basin Circle,
Madurai.



5. Executive Engineer,
Water Resources Organization,
Periyar Dam Special Division,
Cumbum, Theni District

6. The Special Govt. Pleader,
Madurai Bench of Madras High Court, Madurai



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Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 12/10/2022

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ORDER

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SUB A (MD) . No.32 of 2016

in

CONT P (MD) .No.1425 OF 2015

Giving direction and etc.
as stated within.

KB(12.10.2022) 4P 8C