



W.P.(MD)No.27136 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.12.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.27136 of 2022

D.Chandrakala

.. Petitioner

Vs.

1.The Chairman cum Managing Director,
(Tamilnadu Generation and Distribution Corporation Ltd.),
Anna Salai, Chennai.

2.The Chief Engineer,
TANGEDCO,
Thennur,
Trichy District.

3.The Superintend Engineer,
TANGEDCO,
Trichy.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 3rd respondent to consider the petitioner's representation dated 14.11.2022 and direct to clear the pending bill and EMD amount sum of Rs.20,20,464/- and along with 12 per cent interest per annum within the stipulated time fixed by this Court.

For Petitioner : Mr.P.Saravanan

For Respondents : Mr.S.Deenadhayalan

Standing Counsel



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ORDER

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This Writ Petition has been filed for issuance of Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 14.11.2022 and direct to clear the pending bill and EMD amount sum of Rs.20,20,464/- and along with 12 per cent interest per annum within the stipulated time fixed by this Court.

2. Heard Mr.P.Saravanan, learned counsel for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel, who takes notice for the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The grievance of the petitioner is that the respondents have not cleared the bill and EMD amount deposited by the petitioner.

4. The learned counsel for the petitioner submitted that the petitioner is a Clause - V Contractor for carrying out civil works. The third respondent had engaged the petitioner for doing TNEB related civil works and the petitioner had also completed the said work within the stipulated time as per the TNEB tender norms. The third respondent has also issued a completion certificate. But, till date, the third respondent has not released the bill amount



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of Rs.17,42,806/- and the petitioner's Earnest Money Deposit of Rs.2,77,658/-, totalling to Rs.20,20,464/-. In this regard, the petitioner had already approached the respondents in person and through e-mail, failure of which, he sent a representation on 14.11.2022 to release the aforesaid amount. Since no action has been taken, the petitioner has approached this Court by way of filing this petition.

5. The learned Standing Counsel appearing for the respondents, on instructions, submitted that steps are being taken to clear the aforesaid amount.

6. Accordingly, this Court directs the respondents to release the bill amount of Rs.17,42,806/- and the petitioner's Earnest Money Deposit of Rs.2,77,658/-, totalling to Rs.20,20,464/-, on or before 31st March, 2023 by considering the representation of the petitioner, dated 14.11.2022 on merits and in accordance with law.

7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

01.12.2022

Index : Yes/No
Internet : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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To

- 1.The Chairman cum Managing Director,
(Tamilnadu Generation and Distribution Corporation Ltd.),
Anna Salai, Chennai.
- 2.The Chief Engineer,
TANGEDCO,
Thennur, Trichy District.
- 3.The Superintend Engineer,
TANGEDCO, Trichy.

Order made in
W.P.(MD) No.27136 of 2022

01.12.2022