



Writ Petition No.879 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11/1/2023

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Writ Petition No.879 of 2023

KCP Infra Ltd
formerly known as KCP Engineers Ltd
rep. By its Director
Mr.K.Muthukumarasamy. ... Petitioner

Vs

The Superintending Engineer
Storm Water Drain Department
Greater Chennai Corporation
Rippon Building
Chennai 600 003. ... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to disburse the present bill amount of Rs.45,00,00,000/- along with interest to the petitioner, towards the value of the work done in work order numbers viz., (1) S.W.D.C.No.B1/662-3/2020 dated 12/1/2021 (2). S.W.D.C.No.B1/662-21/2020 dated 11/2/2021 (3). S.W.D.C.NO.B1/662-29/2020 dated 20/2/2021 and (4). S.W.D.C.No. B1/662-33/2020 dated 5/2/2021 by the petitioner in Chennai Corporation by considering the



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petitioner's representation dated 7/12/2022.

WEB COPY

For Petitioner ... Mr.V.Elangovan

For respondent ... Mrs.P.T.Ramadevi

ORDER

This writ petition has been filed to direct the respondent to disburse the present bill amount of Rs.45,00,00,000/- along with interest to the petitioner, towards the value of the work done in work order numbers viz., (1) S.W.D.C.No.B1/662-3/2020 dated 12/1/2021 (2). S.W.D.C.No.B1/662-21/2020 dated 11/2/2021 (3). S.W.D.C.NO.B1/662-29/2020 dated 20/2/2021 and (4). S.W.D.C.No. B1/662-33/2020 dated 5/2/2021 by the petitioner in Chennai Corporation by considering the petitioner's representation dated 7/12/2022.

2. Facts in brief are as follows:-

The petitioner is a registered Class – I Contractor under the respondent Corporation. The respondent had called for tenders of various work. The petitioner has participated in the above tender and he was the successful bidder. The petitioner has executed the work, to the tune of



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Rs.45,00,00,000/-, for which bills were submitted. Since the payment was not made, petitioner made a representation, dated 7/12/2022, to the respondent and the same is pending for more than nine months, the petitioner has come forward with the instant writ petition, praying for the relief as stated therein.

3. Heard Mr.V.Elangovan, learned counsel for the petitioner.

4. Mrs.P.T.Ramadevi, learned Standing Counsel takes notice for the respondent and submitted that the petitioner had executed the work to the tune of Rs.40,00,00,000/- (Rupees forty crores only), whereas, he has submitted the bill for Rs.20 crores only. With regard to the bills submitted by the petitioner, the respondent will consider and disburse the same, within a period of one month from today.

5. Submission of the learned Standing Counsel for the respondent is recorded.

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6. Accordingly, the petitioner is directed to submit the remaining bills for disbursement. On such submission of bills, respondent is directed to consider the same, within a period of one month from today.

7. With the above direction, this writ petition is disposed of, at the admission stage itself. No costs.

11/1/2023

Index : Yes / No

Internet: Yes

Speaking/non speaking order

mvs.

To

The Superintending Engineer
Storm Water Drain Department
Greater Chennai Corporation
Rippon Building
Chennai 600 003.

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