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W.P.No.7444 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.03.2023

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THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

W.P.No.7444 of 2023

K.Anbarasan,
S/o.Kandeepan,
V.Thotti, Valavanur,
Villupuram District 605 108.

... Petitioner

Vs.

1.The District Collector,
Villupuram District,
Villupuram 605 602.

2.The Executive Engineer
District Rural Development Authority (DRDA)
Collector Office Complex,
Villupuram 605 602.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent to consider the Petitioner's representation dated 06.11.2022 and 23.12.2022 and consequently direct the 2nd Respondent to disburse the sum of Rs.23,75,730/- (Twenty three lakhs seventy five thousand seven hundred and thirty rupees only) along with 12% interest, within a reasonable time frame fixed by this Court.



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For Petitioner : Mr.S.Natarajan
For Respondent : Mr.S.Mythreye Chandru
Special Government Pleader

ORDER

This Writ Petition has been filed seeking direction to the 2nd Respondent to consider the Petitioner's representation dated 06.11.2022 and 23.12.2022 and consequently direct the 2nd Respondent to disburse the sum of Rs.23,75,730/- (Twenty three lakhs seventy five thousand seven hundred and thirty only) along with 12% interest, within a reasonable time frame fixed by this Court.

2.Heard the learned counsel appearing on behalf of the Petitioner and the learned Special Government Pleader appearing on behalf of the Respondents.

3.On perusal of the records reveal that the Petitioner is a registered contractor and the 2nd Respondent has granted contract work for a total estimated amount of Rs.335 lakhs. On completion of the work, the Petitioner submitted the bills and vouchers to the tune of Rs.2,37,57,308/- and requested them to disburse the amount. While disbursing the amount spent by the Petitioner, the 2nd Respondent has retained 5% of the amount towards security



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deposit and another 5% of amount for depositing the same in fixed deposit for a period of 5 years as per the practice then followed by the 2nd Respondent. Then the Petitioner sent representation dated 06.11.2022 to the 2nd Respondent for release of the retained amount with interest. Since the same was not considered by the 2nd Respondent, he has sent another representation dated 23.12.2022. Hence, this Petition, seeking direction to the 2nd Respondent to consider the Petitioner's representations dated 06.11.2022 & 23.12.2022.

4.The learned Special Government Pleader draw my attention to the fact that it is a local panchayat and entitlement of interest does not arise for local panchayat.

5.On hearing the submissions made by the learned counsel appearing on either side and taking into consideration the prayer sought for by the Petitioner, without expressing any opinion with regard to the work already done by the Petitioner and merits of the case, I am inclined to direct the 2nd Respondent to consider the Petitioner's representations dated 06.11.2022 & 23.12.2022 and pass orders, on merits and with regard to the interest portion, the 2nd Respondent shall decide the same in accordance with law, within a period of



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four weeks from the date of receipt of a copy of this order.

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5.In fine, the Writ Petition is disposed of to the extent indicated above.

No costs.

14.03.2023

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To

1.The District Collector,
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2.The Executive Engineer
District Rural Development Authority (DRDA)
Collector Office Complex,
Villupuram 605 602.



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RMT.TEEKAA RAMAN.J,

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