



WEB COPY



W.P.No.13717 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.12.2023

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THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.13717 of 2023

and

WMP.No.13394 of 2023

M/s.Om Sakthi Construction,
Rep. by its Parnter Mr.V.Kannan,
No.1, Udayar Street,
Thollamur Village, Earaiyur Post,
Vanur Taluk, Villupuram District,
Pincode-604 304.

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Petitioner

...Vs...

1. The Divisional Engineer (H),
Highways Department, (C & M)
Trichy Main Road,
Villupuram-605 602.

2. The Joint/Additional Commissioner,
GST & Central Exercise,
Chennai Outer Commissionerate,
Newry Towers, Second Avenue,
12th Main Road,
Anna Nagar, Chennai-600040.

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Respondents



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Prayer: Writ petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first Respondent to pay the GST to the petitioner in respect of the agreement No.11/2017-18 dated 06.04.2017 for works in Construction of improvements to Pennadam- Virudhachalam Road Km 11/0-18/750 as per G.O.Ms.No.296, Finance (Salaries) Department, dated 09.10.2017 by considering the petitioner's representation dated 19.01.2023, within time framed by this Court.

For Petitioner : Mr.D.Senthikumar

For Respondents : Mr.S.Ravikumar (R1)
Special Government Pleader
Mr.A.P.Srinivas (R2)
Senior Standing Counsel

ORDER

This writ petition has been filed seeking direction to the 1st Respondent to pay the GST to the petitioner in respect of the agreement No.11/2017-18 dated 06.04.2017 for works in Construction of improvements to Pennadam- Virudhachalam Road Km 11/0-18/750 as per G.O.Ms.No.296, Finance (Salaries) Department, dated 09.10.2017



by considering the petitioner's representation dated 19.01.2023.

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2. The learned counsel appearing for the Petitioner submitted that the Petitioner has submitted a representation dated 19.01.2023 to the 1st Respondent, seeking to disburse the GST payment in respect of the works carried by them such as construction of improvements to Pennadam-Vridhchalam Road Km11/0-18/750 as per agreement No.11/2017-18 dated 06.04.2017. As the same did not evoke any response, the Petitioner has come forward with this Writ Petition seeking for the relief stated supra.

3. The learned Special Government Pleader appearing for the 1st Respondent submitted that the 1st Respondent will consider and pass orders on the representation of the petitioner, within a stipulated period, as directed by this Court.

4. Considering the facts and circumstances of the case and having regard to the submissions made, without going into the merits of the case, this Court directs the 1st Respondent to pass orders on the



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KRISHNAN RAMASAMY.J.,

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representation of the petitioner dated 19.01.2023, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

**08.12.2023
(3/3)**

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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27.11.2023
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