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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.17026 of 2023

A.G.Chandrasekaran

Petitioner

VS.

1.The Commissioner of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road, MRC Nagar,
Rajah Annamalaipuram,
Chennai – 600 028.

2.The Commissioner,
Vellore City Municipal Corporation,
Vellore.

3.The Authorized Officer,
City Union Bank Limited,
Credit Recovery and Management Department,
24-B, Gandhi Nagar,
Kumbakonam – 612 001.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to return the deposit remitted towards Earnest Money deposit, Further Security Deposit and Performance Security Deposit for the completed 18 contract works relate to construction of Sanitary Workers Quarters, along with interest at the reasonable rate for the delay, in consideration of representation submitted by the petitioner dated 01.03.2023, within a time frame to be fixed by this Court.



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For Petitioner : Mr.S.Nedunchezhiyan
For Respondents : Mr.C.Selvaraj for R1
Mr.P.S.Prabhu for R2

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 2nd respondent to return the deposit remitted towards Earnest Money Deposit, further Security Deposit and Performance Security Deposit for the completed contract works by considering the representation made by the petitioner on 01.03.2023.

2.The case of the petitioner is that during the years 2018 and 2019, the petitioner was allotted various works and the petitioner had undertaken the contract works and has also duly completed the same. At the time of awarding the contract, the petitioner remitted the Earnest Money Deposit, further Security Deposit and the Performance Security Deposit for each allotted work. The grievance of the petitioner is that in spite of completion of the work, these deposits have not been returned back to the petitioner. The petitioner made a representation in this regard and the same was not considered. Aggrieved by the same, the present writ petition has been filed before this Court.

3.When the matter came up for admission on 08.06.2023, this Court directed the learned Standing Counsel appearing on behalf of the 2nd respondent to take instructions.



4. When the matter was taken up for hearing today, the learned Standing Counsel submitted that he has received oral instructions that if the claims made by the petitioner is found to be genuine, the deposits will be returned back to the petitioner, within the time stipulated by this Court.

5. Considering the submission made by the learned Standing Counsel appearing on behalf of the 2nd respondent, if the petitioner has already completed the works satisfactorily and is entitled for the refund of the deposits, the same shall be refunded to the petitioner by the 2nd respondent, within a period of four weeks from the date of receipt of copy of this order.

6. This writ petition is disposed of in the above terms. No Costs.

16.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ssr

To

1. The Commissioner of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road, MRC Nagar,
Rajah Annamalaipuram,
Chennai – 600 028.



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N. ANAND VENKATESH, J.

ssr

- 2.The Commissioner,
Vellore City Municipal Corporation,
Vellore.
- 3.The Authorized Officer,
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