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W.P.No.23161 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.23161 of 2021

Thiru.c.Chinnadurai
M/s.Sri Venkateswara Eng & Rewinding Works,
129/3, Thuraiyur Road,
Moovanur,
Vengaimandalam.

... Petitioner

vs.

1. The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
31 Kamarajar Salai,
Chepauk,
Chennai – 600 005.

2. The Executive Engineer,
Maintenance Division,
TWAD Board,
Trichy.

3. The Superintending Engineer,
TWAD Board,
Trichy – Pudukottai Circle,
Integrated Office Complex,
No.35, J.K.Nagar, Kaja Malai Post,
Trichy – 620 023.

... Respondents



W.P.No.23161 of 2021

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the respondents to release the payment due to the petitioner to the tune of Rs.13,61,048.00 in respect of Agreement No.DR.No.12.TWAD.Main-Try/2010 – 11 and Agreement No.DR.No.13/TWAD/Maint-Try/2010 – 11 dated 19.05.2010 respectively together with interest at the rate of 6% per annum.

For Petitioner : Ms.T.Hemalatha

For Respondents : Ms.S.Shakila Bhanu

ORDER

The petitioner has filed the Writ Petition seeking for issuance of a Writ of Mandamus, directing respondents to release the payment due to the petitioner to the tune of Rs.13,61,048.00 in respect of Agreement No.DR.No.12.TWAD.Main-Try/2010 – 11 and Agreement No.DR.No.13/TWAD/Maint-Try/2010 – 11 dated 19.05.2010 respectively together with interest at the rate of 6% per annum.

2. The grievance of the petitioner is that even though he has executed the work awarded to him viz., maintenance of CWSS to 98 habitations in Trichy District, as early as on 2010, the respondents still due to the sum of Rs. Rs.13,61,048.00 to the petitioner.



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3. The learned counsel for the petitioner submitted that already similar request made by another contractor has been considered by this Court in W.P.No.32864 of 2018 and an order was passed directing the 1st respondent Board to release the withheld amount within a period of four months with simple interest at the rate of 6% per annum. A copy of the order dated 05.02.2019 has also been produced. Accordingly, learned counsel prays that this Court may direct the respondents to release the amount to the petitioner, as has been given in the other writ petition filed in W.P.No.32864 of 2018 within a time frame to be fixed by this Court.

4. Learned counsel for the respondents fairly concedes that such an order has been passed in W.P.No.32864 of 2018.

5. Accordingly, in view of the fair submissions made by the learned counsel on either side, following the order passed in W.P.No.32864 of 2018, this writ petition is disposed of directing the respondents to pay the amount along with simple interest at 6% p.a., to



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(rap)

the petitioner within a period of four months from the date of receipt of a copy of this order. No costs.

30.06.2023

Index : Yes/No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

(rap)

To

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