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W.P.No.21482 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.21482 of 2023

and

WMP.No.20853 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),
National Highways Department, (C & M)
Ellis Chatram Road,
Villupuram-605 401.

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

Prayer : Writ petitions filed under Article 226 of the Constitution of



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India to issue a Writ of Mandamus directing the first Respondent to pay the GST to the petitioner in respect of the agreement No.09/2014-15 dated 24.12.2014 for the maintenance period in NH 532 (Cuddalore-Virudhachalam-Salem), as per G.O.Ms.No.296, Finance (Salaries) Department, dated 09.10.2017 by considering the petitioner's representation dated 13.12.2022 within time framed by this Court.

For Petitioner : Mr.D.Senthikumar
For Respondents : Mr.S.Ravikumar (R1)
Special Government Pleader
Ms.Hema Murali Krishnan (R2)
Senior Standing Counsel

ORDER

This Writ Petition has been filed seeking direction to the 1st Respondent to pay GST to the petitioner in respect of the agreement No.09/2014-15 dated 24.12.2014 for the maintenance period in NH 532 (Cuddalore-Virudhachalam-Salem), as per G.O.Ms.No.296, Finance (Salaries) Department, dated 09.10.2017 by considering the Petitioner's representation dated 13.12.2022.

2. The learned counsel appearing for the Petitioner submitted that



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the Petitioner has submitted a representation dated 13.12.2022 to the 1st Respondent, seeking to disburse the GST payment in respect of the works carried by them such as construction of paved shoulder including & strengthening existing carriage way in Km57/800 to 110/942, including widening of culverts of NH532 (Cuddalore-Virudhachalam-Salem) as per agreement No.09/2014-15 dated 24.12.2014. 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 representation of the petitioner dated 13.12.2022, on merits and in



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KRISHNAN RAMASAMY.J.,

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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
(1/3)**

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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,
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