



WEB COPY



W.P.No.22162 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22162 of 2023

M/s.Hosur Builders
Represented by its Proprietrix
L.Rajeshwari
No.54, First Floor
Sowripalayam Road
Puliankulam, Coimbatore 641 045.

...Petitioner

Vs.

The Commissioner
Coimbatore City Municipal Corporation
Townhall
Coimbatore 641 001.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider and pass appropriate orders on the representation of the petitioner dated 20.09.2022 wherein a request has been made for considering the payment of price variation arising out of Diesel price escalation for the Tipper Lorries which



W.P.No.22162 of 2023

were engaged on contract basis for the collection of municipal solid waste in various zones of the respondent corporation insofar as the contracts executed by the petitioner, within a reasonable time frame as fixed by this Court.

For Petitioner : Mr.Ganesh and Ganesh

For Respondent : Mr.D.Ferdinand
for Mr.N.Velmurugan
Standing Counsel

ORDER

The petitioner herein seeks a direction to the respondent to consider the representation of the petitioner dated 20.09.2022 and pass suitable orders by taking into consideration the diesel price escalation.

2. According to the petitioner, he was awarded a contract by the respondent Corporation for lifting solid waste collected in the respondent corporation. The petitioner even after expiry of the contract period till selection of the new contractor continued the work. However, for the extended period, the respondent Corporation failed to take into consideration the



W.P.No.22162 of 2023

escalation of diesel price and therefore, the petitioner submitted a representation dated 20.09.2022 to the respondent to consider the escalation in diesel price and pass necessary orders for payment of price variation. The said representation has not been considered by the respondent till date even after lapse of nearly 10 months.

3. Mr.D.Ferdinand, learned counsel appearing for Mr.V.Velmurugan, learned Standing Counsel, takes notice for the respondent and on instructions submitted that the said representation will be considered by a committee consisting of three persons including technical experts.

4. In view of the limited prayer made in this Writ Petition, without expressing any opinion on the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the respondent to consider the representation of the petitioner dated 20.09.2022 and pass final orders on merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order.



WEB COPY



W.P.No.22162 of 2023

S.SOUNTCHAR, J.

dna

5. With the above direction, this Writ Petition is disposed of. No

costs.

27.07.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

dna

To

The Commissioner
Coimbatore City Municipal Corporation
Townhall
Coimbatore 641 001.

W.P No.22162 of 2023