



WEB COPY

W.P.No.25117 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No. 25117 of 2023

K.Kaveri

...Petitioner

Vs.

1. The District Rural Development Agency,
Dharmapuri District, Represented by District Collector / Chairman,
Collectorate,
Dharmapuri – 636 705.
2. The Project Director,
The District Rural Development Agency, Dharmapuri – 5.
3. The Block Development Officer (B.P)
Nallampalli Block, Dharmapuri district.
4. The Executive Engineer (RD)
The District Rural Development Agency,
Dharmapuri – 5.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to disburse the amount of Rs.39.90 lakhs to the petitioner for the completed work under



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Package No.TN-04-Tribal 03/2020-2021 in Nallampalli Block under Tribal Welfare Scheme 2020-2021 Grant during the year 2020-2021 namely, upgradation / strengthening of road works under Tribal Welfare Scheme by considering the Petitioner's representation dated 22.07.2021, 15.10.2021 and last one dated 15.03.2023 within a time stipulated by this Court.

For Petitioner	: Mr.R.Thamaraiselvan
For Respondent 1	: Mr.P.Anandha Kumar Government Advocate
For Respondents 2 to 4	: Mr.V.P.R.Ilamparithi Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents to disburse an amount of Rs.39.90 Lakhs in respect of the work executed by the petitioner in Nallampalli Block under Tribal Welfare Scheme 2020-2021 by considering the petitioner's representation dated 22.07.2021, 15.10.2021, 17.12.2021, 05.02.2022, 25.08.2022 and 15.03.2023 within the time stipulated by this Court.

2.According to the petitioner, he is a registered Contractor under Class-1 and eligible to do works for the Government of Tamil Nadu at District level worth more than Rs.75 Lakhs. Pursuant to the Tender notification published



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on 05.02.2021 by the 1st respondent, inviting tenders for execution of upgradation /strengthening of road work in Nallampalli Block under Tribal Welfare Scheme 2020-2021, the petitioner submitted his tender and came out successful. The work order was issued to the petitioner in respect of the work by the 1st respondent by his order dated 19.02.2021. It is further stated that the petitioner has completed 80% of the work and remaining 20 % of the work is stopped due to the instructions given by the Officials. In such circumstances, the petitioner has made several representations to the respondents seeking payment of the amount towards 80% of the work which has been already completed and the same has not been considered.

3.Mr.P.Anandha Kumar, learned Government Advocate takes notice for the respondents.

4.Though the petitioner sought for a positive direction to the respondents to disburse an amount of Rs.39.90 Lakhs towards the work executed by him, this Court is not inclined to issue such a positive direction. However, in view of the grievance expressed by the petitioner regarding non payment, the 1st



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respondent is directed to consider the representation of the petitioner dated 15.03.2023 and pass final orders on merits and in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With this direction, the writ petition stands disposed of. No costs.

25.08.2023

(2/2)

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

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S.SOUNTHAR, J.
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