



W.P.No.24410 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.24410 of 2019

Coimbatore Corporation Contractors Welfare Association

Registration No.81/2012

7-Sundaresa Iyer Layout

Trichy Road, Coimbatore 641 018

Rep. by its President R.Udayakumar.

.. Petitioner

Vs.

1. State of Tamil Nadu

Rep. by its Principal Secretary to Government

Public Works Department, Secretariat

Chennai 600 009.

2. State of Tamil Nadu

Rep. by its Principal Secretary to Government

Highways & Minor Port Department

Secretariat, Chennai 600 009.

3. The Chief Engineer (WRO)

Tamil Nadu Public Works Department

Chepauk, Chennai 600 005.

4. The Chief Engineer, Highways

Construction and Maintenance

HRS Campus, 76 Sarthar Patel Road

Guindy, Chennai 600 025.



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5. The Secretary to Government
Finance Department
Fort St. George, Chennai 9.

.. Respondents

[R5 suo motu impleaded vide order dated 27.07.2020]

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to issue additional provisions in the current Standard Schedule of Rates issued by the respondents for the year 2019-2020:

- 1) Employees State Insurance and Employees Provident Fund
- 2) Minimum Contractor Profit 10 percentage
- 3) Providing Foot note in the Schedule of rates to make following provisions
 - 4) Replacement of furnace oil with diesel due to the pollution
 - 5) Provisions for advance patches and leveling course min 10 percentage road works in the estimates
 - 6) Quarry lead to be fixed from the running quarry with required production capacity as per mining department certificate
 - 7) Seigniorage charges to be paid as per actuals or waiver from seigniorage charges for Government works in Schedule of rates
 - 8) Electricity charges to be paid 0.5% on estimate value
 - 9) Water charges to be paid 0.5% on estimate value

As accepted in Letter No.2598/G2/2018-11, dated 23.01.2019 on the file of the first respondent.



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For the Petitioner : No appearance
For the Respondents : Mr.K.Karthik Jegannath
Government Advocate

ORDER
(Made by the Hon'ble Chief Justice)

None appears for the petitioner. We have heard Mr.K.Karthik Jegannath, learned Government Advocate for the respondents.

2. The petitioner seeks directions against the respondents to issue additional provisions under the current Standard Schedule of Rates issued by the respondents for the year 2019-2020 - Employees State Insurance and Employees Provident Fund, Minimum Contractor Profit 10 percentage, Providing Foot note in the Schedule of rates to make following provisions, Replacement of furnace oil with diesel due to the pollution, etc.

3. The period for which the relief is sought is already over long back. Moreover, the aggrieved party can agitate their grievance with



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4. In the light of that, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

22.11.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Principal Secretary to Government
Public Works Department, Secretariat
Chennai 600 009.
2. The Principal Secretary to Government
Highways & Minor Port Department
Secretariat, Chennai 600 009.
3. The Chief Engineer (WRO)
Tamil Nadu Public Works Department
Chepauk, Chennai 600 005.
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