



W.P.(MD)No.11068 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.11068 of 2021

Vasantham Agencies,
Rep.By its Director, N.Monikandan,
47/6, Niyafi Complex, Dennison Road,
Nagercoil.

... Petitioner

-vs-

1.The General Manager,
Bharat Sanchar Nigam Ltd.,
BSNL Bhavan,
Court Road, Nagercoil.

2.The Assistant General Manager (NWP-CFA),
Bharat Sanchar Nigam Ltd.,
BSNL Bhavan, Court Road, Nagercoil.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue statements of Account for the work orders vide No.T1/Tender/HK & GS/NGA SDCA/16-17/44, dated 29.06.2016, vide No.T1/ Tender/HK & GS/NGA SDCA/16-17/45, dated 29.06.2016, vide No..T1/Re Tender/Unskilled and Semiskilled/KZI SDCA/18-19/29, dated 25.07.2018 and vide No.T1/Re-Tender/Skilled/ZI SDCA/18-19/30, dated 25.07.2018 and settle the arrear amount of these 4 contracts, amounting Rs.56,21,023/-.



W.P.(MD)No.11068 of 2021

For Petitioner : Mr.C.T.Perumal
For Respondents : Mr.K.R.Laxman
Central Govt. Senior Panel Counsel

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to provide the statement of accounts for the work orders that were undertaken by the petitioner and also to settle the arrears amount to the tune of Rs.56,21,023/-.

2. The main grievance that was expressed by the learned counsel appearing on behalf of the petitioner is that the payment details are not being provided by the respondents and as a result, the amount that was paid to the petitioner is not able to be matched with the actual work that was undertaken by the petitioner relatable to four tenders. Therefore, the petitioner is seeking for the payment details and also for the statement of the arrears amount.

3. The learned Central Government Senior Panel Counsel appearing on behalf of the respondents provided the details of the amount that is due and payable to the petitioner and what has actually been paid and the amount that



W.P.(MD)No.11068 of 2021

is due and payable to the petitioner as on date. For proper appreciation, the tabulated statement that was produced before this Court, is extracted hereunder:-

Description	Amount	Amount
Total value of Invoices processed (net of TDS)		5,15,83,066.95
Total Amount paid		4,84,32,969.95
Transferred directly to employees through RLC settlement		18,45,025.00
Total		5,02,77,994.95
Balance amount		13,05,072.00
Breakup of Balance amount		
GST amount retained	9,81,168.00	
Bonus bill (not to pay)	1,52,283.00	
GST & EPF released but not paid	1,71,621.00	13,05,072.00

4. The petitioner has made a total claim of Rs.56,21,023/-. Whereas, as per the tabulated statement that was furnished to this Court, the respondents claim that the total amount due and payable to the petitioner is only a sum of



W.P.(MD)No.11068 of 2021

Rs.13,05,072/- and even this amount has been adjusted towards GST amount, bonus bill and GST and EPF released, but not paid. Therefore, according to the respondents, there is no amount due and payable to the petitioner as on date.

5. In the light of the above stand taken by the respondents, there shall be a direction to the second respondent to provide the entire payment details to the petitioner, pertaining to four tenders that were undertaken by the petitioner, within a period of four weeks from the date of receipt of a copy of this order. Since the amount claimed by the petitioner has been disputed in this Writ Petition, this Court will not go into the disputed questions of facts. On receipt of the payment details, if the petitioner is satisfied that he is entitled for any amount that is due and payable to him, it is left open to the petitioner to work out his remedy before the appropriate forum in accordance with law.

6. This Writ Petition is disposed of in the above terms. No costs.

NCC : Yes/No
Index : Yes/No

18.10.2023



W.P.(MD)No.11068 of 2021

To

WEB COPY

- 1.The General Manager,
Bharat Sanchar Nigam Ltd.,
BSNL Bhavan,
Court Road, Nagercoil.
- 2.The Assistant General Manager (NWP-CFA),
Bharat Sanchar Nigam Ltd.,
BSNL Bhavan, Court Road, Nagercoil.



WEB COPY



W.P.(MD)No.11068 of 2021

N.ANAND VENKATESH, J.

smn2

W.P.(MD)No.11068 of 2021

18.10.2023