



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20015 of 2020

S.Herbert Durai Singh

... Petitioner

-Vs-

1.The District Collector,
Kanyakumari District,
Nagercoil & Post – 629 001,
Kanyakumari District.

2.The Assistant Director,
Village Panchayats,
Collector Office Compound,
Nagercoil, Kanyakumari District.

3.The Block Development Officer,
Melpuram Panchayat Union,
Melpuram & Post,
Kanyakumari District- 629 168.

4.The Block Development Officer,
Munchirai Panchayat Union,
Munchirai & Post,
Kanyakumari District- 629 171.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 2nd respondent to disburse the long pending amount of Rs.9,75,663/- with interest from the appropriate panchayats.



For Petitioner :Mr.T.Murugan
For R1 to R3 :Ms.S.Jeyapriya
Government Advocate
For R4 :Ms.M.Rajeswari

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the second respondent to disburse the sum of Rs.9,75,663/- payable to the petitioner for the works completed by the petitioner.

2.Heard Mr.T.Murugan, learned Counsel for the petitioner, Ms.S.Jeyapriya, learned Government Advocate for the respondents 1 to 3 and Ms.M.Rajeswari, learned Counsel for the fourth respondent.

3.The case of the petitioner is that the petitioner was engaged by the second respondent for completion of certain works during the year 2015-16. The petitioner completed those works and submitted his completion report. An inspection was carried out and a resolution was also passed sanctioning the payment of the amount to the petitioner towards the works completed.

4.According to the petitioner, a total amount of Rs.9,75,663/- is payable to the petitioner and this fact has been accepted by the second respondent in his



letter dated 09.06.2020. The grievance of the petitioner is that the amount has not been paid to him and hence, left with no other option, the present Writ Petition has been filed before this Court.

5. In the considered view of this Court, it is quite unfortunate that the petitioner has not been made the payment for the works, that had already been completed by him and which had already been inspected by the concerned authority. In fact, in the letter, dated 09.06.2020, it is seen that the second respondent has accepted the works that have been completed by the petitioner and the total amount, that is due and payable to the petitioner. In spite the same, the petitioner has not been made the payment.

6. Taking into consideration the facts and circumstances of the case and also the fact that there is no serious dispute on the amount, that is due and payable to the petitioner, there shall be a direction to the second respondent to pay the long pending amount of Rs.9,75,663/- with interest at the rate of 6% per annum from the year 2018 onwards till the date of actual payment to the petitioner. This amount shall be settled by the second respondent in favour of the petitioner within a period of six weeks from the date of receipt of a copy of this order.



WEB COPY 7. With the above direction, this Writ Petition is disposed of. No costs.

09.10.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes/No

cmr

To

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N.ANAND VENKATESH, J.

cmr

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