



W.P.(MD) No.8735 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2023

CORAM:

THE HONOURABLE MS.JUSTICE B.PUGALENDHI

W.P.(MD) No.8735 of 2016

M.Subramaniyan

... Petitioner

Vs.

1.The Director of Town Panchayat,
Kuralagam,
Chennai.

2.The Executive Officer,
Sriramapuram Town Panchayat,
Dindigul District.

3.R.Gopinath,
Executive Officer,
Ammapettai Town Panchayat,
Thanjavur District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first respondent herein to take appropriate action against the third respondent herein for furnishing false statement in his communication dated 31.03.2015 based on the representation of the petitioner dated 09.04.2016.



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For Petitioner : Mr.S.D.Srinivasa Ragavan
For R1 : Mr.T.Vilavan Kothai
Additional Government Pleader
For R2 and R3 : No appearance

ORDER

This writ petition is filed to direct the first respondent herein to take appropriate action against the third respondent herein for furnishing false statement in his communication dated 31.03.2015, based on the representation of the petitioner dated 09.04.2016.

2. The petitioner is a registered contractor engaged in taking contract works in various Panchayats and Town Panchayat in Dindigul District. The petitioner undertook works in the second respondent Town Panchayat and he has also completed the work. While doing contract work, the concerned Town Panchayat would retain caution deposit amount to the tune of 5% of the tender amount as a security for the work done by the contractor for the period of one year from the date of completion of the work. The concerned Panchayat or Town Panchayat has to refund the amount thereafter. The petitioner's amount was also retained by the second respondent Town Panchayat for a period of one



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year as a security for the works done by him. After expiry of one year period, he sent representation dated 24.02.2015 to the second respondent requesting him to release the security deposit amount. But, the third respondent is not returning the petitioner's security deposit even after expiry of one year period. Therefore, he sent a representation dated 09.04.2016 to the first respondent to take action against the third respondent and the same has not been considered so far. Hence, the present writ petition is filed before this Court.

3. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the first respondent submitted that the amount has been returned to the petitioner in various dates and he has also produced the details of the same before this Court.

4. Recording the above said submission, the Writ Petition is closed as no further order is required. No costs.

27.02.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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B.PUGALENDHI,J

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