



WEB COPY



W.P. No. 3900 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 3900 of 2024

M/s. Thilagavathy Constructions,
Represented by its Managing Director,
G.Thilagavathy,
No. 43, VAK Nagar,
Arani – 632 301.

... Petitioner

-VS-

1. The Commissioner of Municipal Administration,
Chennai – 600 028.
 2. The Commissioner,
Arani Municipality,
Arani.
 3. The Assistant Engineer,
Arani Municipality,
Arani.
- Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent herein to forthwith pay the sum of Rs. 1,74,90,000/- towards the work which was done by the Petitioner pursuant to the work order dated 22.11.2019 together with interest @ 12% per annum.



WEB COPY



W.P. No. 3900 of 2024

For Petitioner : Mrs. AL.Ganthimathi,
Senior Counsel
for Mr. L.Palanimuthu

For Respondents : Mr. V.Ravi,
Special Government Pleader (for R1)

Mr. P.Srinivas,
Standing Counsel (for R2 & R3)

ORDER

Heard Mrs. AL.Ganthimathi, Learned Senior Counsel appearing for the Petitioner, Mr. V.Ravi, Learned Special Government Pleader, who takes notice for the First Respondent, and Mr. P.Srinivas, Learned Standing Counsel, who takes notice for the Second and Third Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that it had made representation dated 09.01.2024 to the Second Respondent to make payment of sum of Rs. 1,74,90,000/- together with interest at the rate of 12% per annum towards the work done by it pursuant to the work order dated 22.11.2019, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.



W.P. No. 3900 of 2024

WEB COPY

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 09.01.2024 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 10 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period



W.P. No. 3900 of 2024

of three months from the date of passing of that order; and

(vi) the report of such compliance shall be filed by 31.08.2024 before the

Registrar (Judicial) of the Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

23.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 18.04.2024.

vjt

To

1. The Commissioner of Municipal Administration,
Chennai – 600 028.
2. The Commissioner,
Arani Municipality,
Arani.
3. The Assistant Engineer,
Arani Municipality,
Arani.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



W.P. No. 3900 of 2024

2. M/s. Thilagavathy Constructions,
Represented by its Managing Director,
G.Thilagavathy,
No. 43, VAK Nagar,
Arani – 632 301.



WEB COPY



W.P. No. 3900 of 2024

P.D. AUDIKESAVALU, J.

vjt

W.P. No. 3900 of 2024

23.02.2024