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W.P. No. 5297 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

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

W.P. No. 5297 of 2024

Dhivya Engineering Works
represented by Mr. A.V.Balamurugan
Plot No. 14, Sakthi Gardens Phase – II
Thiruverkadu Main Road
Chenneer Kuppam
Chennai – 600056.

... Petitioner

-VS-

The Managing Director
The Chennai Metropolitan Water Supply and Sewerage Board
No. 1, Pumping Station Road
Chennai – 600002.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondent to consider the Petitioner's representation dated 02.01.2024, to release the payment of the Petitioner along with 24% per annum interest on the said payment from its due date to the date of its actual realization and also to take penal action over the Respondent for said delay in releasing the payment of the Petitioner.

For Petitioner : Mr. A.Ashwinkumar

For Respondents : Mr. K.Vasanthamala



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W.P. No. 5297 of 2024



W.P. No. 5297 of 2024

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ORDER

Heard Mr. A.Ashwinkumar, Learned Counsel for the Petitioner and Mr. Mr. K.Vasanthamala, Learned Counsel for the 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 a representation dated 02.01.2024 to the Respondent to release payment due to it along with interest at the rate of 24% per annum from its due date till the date of actual realization and to consequently take penal action against the Respondent for said delay in releasing the payment to it, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. When it is pointed that the payments have been sought by the Petitioner from various departments in different areas and the consignment has been done by the competent authority of the concerned area and as such, it would not be possible for the Respondent to dispose the representation made in common for all the claims, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition reserving the rights of the Petitioner to make separate representations to the competent authority in respect of each area and



W.P. No. 5297 of 2024

in the event of the Petitioner not being able to get necessary relief, to work out

his remedies before the proper forum in the manner recognized by law.

In the result, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. No costs.

05.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 23.04.2024.

Maya

To

The Managing Director
The Chennai Metropolitan Water Supply and Sewerage Board
No. 1, Pumping Station Road
Chennai – 600002.



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W.P. No. 5297 of 2024

P.D. AUDIKESAVALU, J.

Maya

W.P. No. 5297 of 2024

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