



W.P.No.10732 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

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VLUK Engineering
Class -I Civil Engineering Contractor,
No.43/A2, Jandrawar Street,
Kaladipet, Thiruvotriyur,
Chennai – 600 019
represented by its partner
A.Uma Sankar S/o annamalai

...Petitioner

Vs

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings Chennai – 600 003.

2. The Superintending Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Rippon Buildings Chennai – 600 003.

3. The Executive Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Rippon Buildings Chennai – 600 003.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioner dated 10.02.2022, 08.02.2022, 13.02.2023, 12.04.2023, 07.06.2023, 28.08.2023, 19.01.2024, 22.01.2024, 14.02.2024, 15.03.2024 and 02.04.224 and release the retention amount 2.5% of total contract value totally to the tune of Rs.5,38,521/- with interest for the work executed by the petitioner as per the letter of acceptance in B.R.R.C.No.B1/3182/2015 dated 09.10.2015 on the file of the second respondent and pass orders.

For Petitioner	: Mr. S. Doraisamy
For Respondents	: Mrs.P.T. Ramadevi

ORDER

The petitioner has filed this writ petition seeking a direction to respondents 1 and 2 to consider the representation of the petitioner dated 10.02.2022, 08.02.2022, 13.02.2023, 12.04.2023, 07.06.2023, 28.08.2023, 19.01.2024, 22.01.2024, 14.02.2024, 15.03.2024 and 02.04.224 and



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release the retention amount 2.5% of total contract value totally to the tune of Rs.5,38,521/- with interest for the work executed by the petitioner as per the letter of acceptance in B.R.R.C.No.B1/3182/2015 dated 09.10.2015 on the file of the second respondent and pass orders

2. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner participated in the tender called for by the second respondent for the work of forming link road connection and he was successful bidder and he has been allotted the work and he has completed the work and satisfied all the specification and the second respondent also made payment for the work done by the petitioner. The grievance of the petitioner is that he has retained a sum of Rs.5,38,521/- in the name of retention amount which will be released within a period of 2 years as per the tender condition. As on date more than 2 years have been lapsed, the said amount has not been returned. Therefore, the petitioner gave a representation to the respondents on various dates finally on 02.04.2024. However, the same was not



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considered. Hence this petition.

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4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the second respondent to consider the petitioner's representation and pass orders.

5. The learned standing counsel appearing for the respondents submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioner's representation and pass orders on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioner as well as the concerned parties if any, within a period of four months from the date of receipt of a copy of this order.



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7. With the aforesaid direction, this Writ Petition stands disposed
of. No costs.

17.04.2024

Index:Yes/No

Speaking order/Non-speaking order
smn

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings Chennai – 600 003.

2. The Superintending Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Rippon Buildings Chennai – 600 003.

3. The Executive Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Rippon Buildings Chennai – 600 003.

V.BHAVANI SUBBAROYAN,J.



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