



WEB COPY



W.P.No.15870 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2024

CORAM :

THE HON'BLE MR. JUSTICE S.S.SUNDAR
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.P.No.15870 of 2024

M/s Sri Balaji Marketing Exports and
Distributors rep.by its Proprietor
Mr.M.Gopikrishnan
S/o Mr.N.P.A.Murugesan
“Thirumalai Illam”
No.9-5/1, Bazaar Street
Ayyampalayam, Dindigul District .. Petitioner

v.

1. The Commissioner
Kancheepuram (Municipality) Municipal
Corporation, Kancheepuram
2. The Director of Municipal Administration
and Water Supply
Santhome High Road, Chennai
3. Mr.Vinothkumar
4. Mr.Vethachalam
5. Mr.Sundarajan



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6. The Commissioner of GST and Central Excise
Madurai

(R6 suo motu impleaded vide order
dated 04.07.2024 in WP.15870/24)

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider and pass orders on the representations of the petitioner dated 15.06.2023, 29.08.2023, 23.09.2023 and 22.04.2024 within a stipulated time.

For Petitioner :: Mr.K.Anbarasan

For Respondents :: Mr.RA.Gopinath
Standing Counsel for R1
Mr.M.R.Gokulkrishnan
Addl.Government Pleader for R2

ORDER

(Order of the Court was made by S.S.SUNDAR,J.)

This writ petition is filed for issuance of a mandamus to the first respondent to pass orders on the representations of the petitioner dated 15.06.2023, 29.08.2023, 23.09.2023 and 22.04.2024 within a stipulated time.

2. The petitioner states that he participated in the supply order by the



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first respondent and awarded contract for supply of materials like PPE kit, gloves and lysol utilized for the purpose of protection given to the public during Covid. The petitioner has produced before this Court a few invoices and submitted that the petitioner was not paid money towards the supply of goods as seen from the invoices.

3. This Court, after going through the invoices, is unable to find support from the materials, actual supply. The value shown for each item supplied by the petitioner is on the higher side. Therefore, this Court is unable to entertain this writ petition under Article 226, as the genuineness of the claim cannot be adjudged by this Court. Hence, the writ petition is dismissed giving liberty to the petitioner to approach the civil Court for recovery of money, if it is due on actual supply against placement of orders. Consequently, W.M.P.No.17304 of 2024 is also dismissed. No costs.

Index : yes/no
Neutral citation : yes/no

(S.S.S.R.,J.) (N.S.,J.)
22.07.2024

ss
To



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Kancheepuram
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S.S.SUNDAR,J.

AND

N.SENTHILKUMAR,J.

SS

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