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W.P.No.20317 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.20317 of 2024

V. Meenal

...Petitioner

Vs.

The Commissioner,
Udumalapettai Municipality Office,
149/263, Dhali Road,
Udumalaipet – 642 126

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the sum of Rs.4,77,031/- (Rupees Four Lakhs Seventy Seven Thousand Thirty-One Only) to the petitioner as per the claim in Sl.No.5 of Annexure II of the Legal Notice of the petitioner dated 13.11.2023 pertaining to contract bearing Roc No.261/2016/E3 dated 18.06.2016 entered with the respondent within a time frame and pass orders

For Petitioner

: Mrs.Rukumani Venugopalan

For Respondents

: Mr.B. Anand, Standing Counsel



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ORDER

This Writ Petition has been filed seeking a direction to the respondents to pay the sum of Rs.4,77,031/- (Rupees Four Lakhs Seventy Seven Thousand Thirty-One Only) to the petitioner as per the claim in Sl.No.5 of Annexure II of the Legal Notice of the petitioner dated 13.11.2023 pertaining to contract bearing Roc No.261/2016/E3 dated 18.06.2016 entered with the respondent within a time frame and pass orders.

2. Mr.B. Anand, Standing Counsel, takes notice for the Respondent. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The facts of the case is that the petitioner is a Engineering contractor and undertaking various Civil Works for Government Departments, Municipalities. The petitioner executed several works such as laying of road, Civil works from 2013 to 2020 for the respondent. The total due amount to the petitioner for the works done is Rs.6,04,19,428/-.



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However, no payment was made to the petitioner. Since the payment was not forthcoming the petitioner sent a representation to the respondent on 13.11.2023. However, there was no response till date. Hence, the present Writ Petition.

4. The learned counsel appearing for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to pay the sum of Rs..4,77,031/- to the petitioner as per the claim made in Sl.No.4 of Annexure II of the Legal Notice of the petitioner dated 13.11.2023 pertaining to contract bearing Roc No.261/2016/E3 dated 18.06.2016.

5. Learned Standing counsel appearing for the respondent/Corporation would submit that a direction will be issued to the respondents to consider the representation of the petitioner after affording an opportunity of personal hearing and orders will be passed.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without expressing



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any opinion on the merits of the case, directs the respondent to consider the petitioner's representation dated 13.11.2023 and pass orders on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

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

24.07.2024

Index: Yes/No

Speaking order/Non-speaking order
smn

Copy To:

The Commissioner,
Udumalapettai Municipality Office,
149/263, Dhali Road,
Udumalaipet – 642 126



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V.BHAVANI SUBBAROYAN,J.

smn

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