



WEB COPY



W.P.No.20991 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.20991 of 2023

M/s. E.K.Infrastructure Pvt. Ltd
Reg Office at No.153/5,
Ravi Main Road, near Ponniyamman koil
Vadakkupattu main road,
Medavakkam
Chennai-600 100
rep by its authorised signatory
Mr.T.Rajiv

...Petitioner

Vs.

The Commissioner
Coimbatore City Municipal Corporation
Big Bazar street
Coimbatore-641 001

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to make payment for the work executed by the petitioner totally to the tune of Rs.1,19,57,916/- to the petitioner as per the proceedings passed in R.O.C.No.9955/2020/MD-2 dated 03.01.2023 in respect of

1. Restoration of BT surface at Anana Nagar 4 & 5th street, Hari sir Garden Road and Bharathi Street in Ward No.18 & 19 of West Zone



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(R.O.C.No.9957/2020/MD2) (Rs.65,84,288/-)

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2, Providing under ground drainage main and rider sewer line to the Diwan Bhagadhur road from Kannusamy road to Langarkana road in Ward No.23,24 of West Zone (R.O.C..No.9952/2019/MD2) (Rs.19,77,994)

3.Model road development at DB road, RS puram (R.O.C.No.29/2018/SCM2) (Rs.33,95,634/-).

For Petitioner : Mr.S.Doraisamy

For Respondent : Mr.D.Ferdinand, Standing Counsel for

Coimbatore Corporation

ORDER

This Writ Petition has been filed seeking issuance of a directing the respondent to make payment for the work executed by the petitioner totally to the tune of Rs.1,19,57,916/- to the petitioner as per the proceedings passed in R.O.C.No.9955/2020/MD-2 dated 03.01.2023 in respect of

1. Restoration of BT surface at Anana Nagar 4 & 5th street, Hari sir Garden Road and Bharathi Street in Ward No.18 & 19 of West Zone (R.O.C.No.9957/2020/MD2) (Rs.65,84,288/-)

2, Providing under ground drainage main and rider sewer line to the Diwan Bhagadhur road from Kannusamy road to Langarkana road in Ward No.23,24 of West Zone (R.O.C..No.9952/2019/MD2) (Rs.19,77,994)



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3. Model road development at DB road, RS puram
(R.O.C.No.29/2018/SCM2) (Rs.33,95,634/-).

2. Today, when the matter came up for hearing , learned counsel for the respondent filed a status report stating that they have already paid a substantial amount on 01.06.2024, they have paid Rs.19,87,600/- and on 04.06.2024 and the remaining amount to be paid will be considered and paid to the petitioner immediately after getting the approval from the Chief Engineer, Smart City Project. The approval of the Chief Engineer of the Municipal Administration could not be obtained as the post is vacant. The excuses cannot be accepted permanently. It is for the Secretary to the Government, Municipal Administration and Water Supply Department to consider the same and depute a person to scrutinize the bills forwarded by the Coimbatore Municipality and proceed against the said claim made by the petitioner herein and pay the same on or before 25.07.2024 and post the matter on 29.07.2024 for reporting compliance.



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V.BHAVANI SUBBAROYAN,J.

3. With the above observation, this Writ Petition is disposed of. It is also made clear that appropriate fees should be paid to the petitioner for the work done. There shall be no order as to costs.

05.06.2024

Index:Yes/No
Speaking order/Non-speaking order

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The Commissioner
Coimbatore City Municipal Corporation
Big Bazar street
Coimbatore-641 001

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