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W.P.No.22106 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.22106 of 2024

A.Mahendran

... Petitioner

Vs

1. The District Collector,
Namakkal District,
1st Floor, Collectorate,
Tiruchengode Road,
Namakkal – 637003.

2. Assistant Director (Panchayats),
Namakkal,
Namakkal District Collectorate,
Tiruchengode Road,
Namakkal – 637003.

3. Block Development Officer,
Village Panchayat Union,
Rasipuram Division,
Namakkal District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to pay the petitioner the sum of Rs.6,18,589/- along with interest and also direct the respondents to deposit the amount collected from the petitioner towards income tax, GST and labour welfare fund to the authorities concerned.



W.P.No.22106 of 2024

For Petitioner : Mr.SP.Chockalingam

For Respondents : Mr. V.Manoharan,
Additional Government Pleader
(for R1 & R2)

Mrs. R.Anitha,
Special Government Pleader (for R3)

ORDER

With consent of both sides, this Writ Petition has been taken up for disposal at the admission stage itself.

2. This Writ Petition is filed for directing the third respondent to pay the petitioner a sum of Rs. 6,18,589/- along with interest, and also to direct the respondents to deposit the amount collected from the petitioner towards income tax, GST, and labour welfare fund to the concerned authorities.

3. The petitioner, a contractor, had carried out many construction works in the villages falling under Rasipuram Panchayat Union on a contract basis. While that being so, from 2016 to 2022, the petitioner carried out



W.P.No.22106 of 2024

WEB COPY

several construction works in several villages. He had paid 1% as a deposit amount and another 1% as an additional deposit amount, and a further 2.5% as a caution deposit on the contract amount. Immediately after completion, he became entitled to a refund of the said amount, and a total sum of Rs. 6,18,589/- is due to the petitioner from the respondents. Though the petitioner repeatedly submitted representations seeking a refund of the said amount, it was not considered, and as such, the petitioner was constrained to file this Writ Petition.

4. The learned Special Government Pleader appearing for the third respondent submitted that she needs some more time to settle the said amount, though the petitioner is entitled to the said amount.

5. In view of the above submissions, the respondents are directed to refund the amount, which was deposited by the petitioner while awarding the contract, along with interest at the rate of 6% per annum, from the date on which the amount became due till the date of disbursement, within a period of twelve weeks from the date of receipt of a copy of this order.



W.P.No.22106 of 2024

6. With the above directions, this Writ Petition is disposed of. No costs.

07.08.2024
1/2

Index:Yes/No
Neutral Citation/Yes/No
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To

1. The District Collector,
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W.P.No.22106 of 2024

G.K.ILANTHIRAIYAN, J.

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W.P.No.22106 of 2024

07.08.2024

1/2