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W.P.No. 26259 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.26259 of 2024

S.Dhanam Sekar

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Petitioner

Vs

1.The Block Development Officer (Village Panchayat),
Melmalaiyanur Panchayat Union,
Melmalaiyanur,
Villupuram District – 604 204.

2.Thayanur Village Panchayat,
Rep. by its Secretary,
Thayanur,
Melmalaiyanur Taluk,
Villupuram District – 604 153.

3.The President,
Thayanur Village Panchayat,
Thayanur,
Melmalaiyanur Taluk,
Villupuram District – 604 153.

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Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent herein to pay a sum of Rs.25,375/- being the 1% of the deposit amount and 2.5% of the additional deposit amount as per the order dated 28.11.2022 made in Na.Ka.No.A2/0273/2022 by the first respondent herein to the petitioner herein.



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For Petitioner : Mr.N.Mariappan
For R1 to R3 : Mr.N.Naveen Kumar
Government Advocate

ORDER

This Writ Petition has been filed for a direction, directing the third respondent to pay the deposit and additional deposit as per the order dated 28.11.2022.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner participated in the tender floated for laying drinking water pipeline for the houses of the Scheduled Caste and Scheduled Tribe for the four villages, viz., Kovilpuraiyur, Nochalur, Aathipattu and Thayanur, of Melmalaiyanur Panchayat Union, Villupuram District. The petitioner participated in the tender and he was awarded the said work contract and accordingly, as per the tender condition, the petitioner ought to have completed the said work on or before 18.02.2021. On issuance of work order, the petitioner ought to have deposited 1% of the amount as deposit and 2.5% of the amount as additional deposit out of the tender amount. After completion of the said



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work, the first respondent ought to have returned the same. Though the petitioner had completed the said work as early as on 08.08.2022, the petitioner was not disbursed the deposit and additional deposit made by the petitioner so far.

4. Considering the facts and circumstances of the case, the first respondent is directed to refund the deposits, which were made by the petitioner at the time of issuance of work order, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs.

11.09.2024

Internet : Yes/No
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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To

1. The Block Development Officer (Village Panchayat),
Melmalaiyanur Panchayat Union,
Melmalaiyanur,
Villupuram District – 604 204.



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G.K.ILANTHIRAIYAN, J.

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2.The Secretary,
Thayanur Village Panchayat,
Thayanur,
Melmalaiyanur Taluk,
Villupuram District – 604 153.

3.The President,
Thayanur Village Panchayat,
Thayanur,
Melmalaiyanur Taluk,
Villupuram District – 604 153.

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