



WEB COPY



W.P.No.36107 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.36107 of 2023

S.Duraisamy

... Petitioner

Vs

1.The Salem District Collector,
O/o.Salem District Collector,
Salem District,
Salem.

2.The Block Development Officer (KiU),
Thalaivasal, Salem District.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to take appropriate action for measuring the works viz., for constructing the upper water tank and for laying the pipe line in Yerikarai near, Aragalur, Thalaivasal Taluk, Salem District and to pay the amount of Rs.6,00,000/- with interest to the petitioner based on the representation of the petitioner dated 12.10.2023.

For Petitioner : Mr.M.Senthilkumar

For Respondents : Mr.T.Venkatesh Kumar
Special Government Pleader for R1

: Mr.E.Selvaraj
Additional Government Pleader for R2



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ORDER

The relief sought for in the present writ petition is to direct the respondents to take appropriate action for measuring the works viz., for constructing the upper water tank and for laying the pipe line in Yerikarai near, Aragalur, Thalaivasal Taluk, Salem District and to pay the amount of Rs.6,00,000/- with interest to the petitioner based on the representation of the petitioner dated 12.10.2023.

2. Admittedly, the petitioner is a contractor and executed a work for constructing the upper water tank and for laying the pipe line in Yerikarai near, Aragalur, Thalaivasal Taluk, Salem District.

3. The learned counsel for the petitioner would submit that the contract amount has not been settled in favour of the petitioner and in this regard, a representation was submitted.

4. Disputed facts regarding contractual obligations cannot be adjudicated in a writ proceedings under Article 226 of the Constitution of



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India. Such disputes are to be resolved by approaching the competent Civil Court based on the documents and evidences on record.

5. Therefore, the petitioner is at liberty to approach the competent Court of law for the purpose of redressing his grievances relating to contractual obligations.

6. Accordingly, the Writ Petition stands disposed of. No costs.

24.04.2024

Index : Yes/ No

Speaking order : Yes /No

Neutral Citation : Yes/No

Sgl

To

1.The Salem District Collector,
O/o.Salem District Collector,
Salem District, Salem.

2.The Block Development Officer (KiU),
Thalaivasal,
Salem District.

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S.M.SUBRAMANIAM, J.

Sgl

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