



W.P(MD)No.21453 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.21453 of 2024

1.Marimuthu

2.Pushphavalli

... Petitioners

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Superintending Engineer,
Public Works Department,
Building Circle (Construction & Maintenance),
Madurai.

3.The Executive Engineer,
Public Works Department,
Building Division (Construction & Maintenance),
Ramanathapuram,
Ramanathapuram District.

4.The Assistant Executive Engineer,
Public Works Department,
Building (Construction & Maintenance)
Sub Division – 1,
Paramakudi,
Ramanathapuram District.

... Respondents



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Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the balance amount of Rs.87,54,134/- along with 12 percentage Interest to the petitioners for the work they have done at Pasumpon Muthuralaingathevar Guru Pooja by considering the petitioner's representation dated 05.02.2024 within the time stipulated by this Court.

For Petitioners : Mr.V.Palpandi

For Respondents : Mr.D.Gandhi Raj
Special Government Pleader

ORDER

This writ petition has been filed to direct the respondents to pay the balance amount of Rs.87,54,134/- along with 12 percentage interest to the petitioners for the work they have done at Pasumpon Muthuralaingathevar Guru Pooja by considering the petitioner's representation dated 05.02.2024.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The case of the petitioners is that at the request and supervision of the respondents, the petitioners were permitted to do various



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protection activities and providing mandates for the worshippers and for VVIPs during the birthday celebration of Pasumpon Muthuramalinga Thevar as Thevar Guru Pooja Pooja on 30th October. The petitioners had done works as per the instruction and supervision of the respondents without any defect. But the respondents failed to pay the expenditure which was incurred by the petitioners to the tune of Rs.87,54,134/- (Rupees Eighty Seven Lakhs Fifty Four Thousand One Hundred and Thirty Four only) and it is still pending.

4.The learned Special Government Pleader on instructions submitted that the petitioners are entitled to receive a sum of Rs.73,49,039/- (Rupees Seventy Three Lakhs Forty Nine Thousand and Thirty Nine only) and that Necessary Detailed Estimates as per the finished measurements duly countersigned by the first respondent for the works executed by the petitioners from the year 2012-2020 had been submitted to the Government for the respective years for the approval and administrative sanction. Thereafter, part of the amount were settled in favour of the petitioners. However, there is a huge amount of due payable by the respondents to the petitioners.



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5.In view of the above, the Tamil Development and Information (Festival and Exhibition) Department and Finance Department are directed to approve the claim of the petitioners as per the proposal sent by the first respondent within a period of four weeks from the date of receipt of a copy of this order. After approval, the first respondent is directed to disburse the balance amount with interest at the rate of 6% per annum till realization.

6.This Writ Petition is disposed of accordingly. There shall be no order as to costs.

14.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Superintending Engineer,
Public Works Department,
Building Circle (Construction & Maintenance),
Madurai.



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3. The Executive Engineer,
Public Works Department,
Building Division (Construction & Maintenance),
Ramanathapuram,
Ramanathapuram District.
4. The Assistant Executive Engineer,
Public Works Department,
Building (Construction & Maintenance)
Sub Division – 1,
Paramakudi,
Ramanathapuram District.
5. The Secretary,
Tamil Development and Information
(Festival and Exhibition) Department,
Secretariat,
Chennai.
6. The Secretary to Government,
Finance Department,
Secretariat,
Chennai.



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G.K.ILANTHIRAIYAN,J.

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