



W.P.(MD).No.25948 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.25948 of 2024

and

W.M.P.(MD)No.22017 of 2024

M/s.Sri Pathy Associates – KSIPL (JV),
Represented by its Authorized Partner,
No.62, Thangaperumal Street,
Erode – 638 001.

...Petitioner

Vs

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Public Works Department,
Secretariat,
Chennai – 600 009.

2.The State of Tamil Nadu,
Represented by its Secretary to Government,
Commercial Tax Department,
Fort St.George,
Chennai – 9.

3.The Commissioner of Commercial Tax,
Ezhilagam,
Chepauk,
Chennai – 5.



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4.The Superintending Engineer,
Lower Cauvery Basin Circle,
Thanjavur – 613 001.

5.The Executive Engineer, PWD/WRD,
Vennar Basin Division,
Thiruvarur.

6.The Chief Engineer PWD,
Building Construct & Maintenance,
Trichy Region,
Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents to pay sum equivalent to the liability towards payment of GST to the petitioner in respect of the agreement No. 33ADB/2015-16 as per G.O.Ms.No.296 Finance (Salaries) Department dated 09.10.2017 along with interest by considering the representations of the petitioner dated 20.05.2019, 24.07.2019, 30.01.2020, 10.12.2021, 17.01.2022, 15.04.2023, 16.08.2023, 06.09.2023 and 27.02.2024, within a time frame fixed by this Court.

For Petitioner : Mr.D.Kirubakaran
For M/s.Saravanan Associates

For Respondents : Mr.J.K.Jeyaseelan
Government Advocate



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ORDER

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Heard Mr.D.Kirubakaran, for M/s.Saravanan Associates, learned counsel for the petitioner and Mr.J.K.Jeyaseelan, learned Government Advocate for the respondents.

2. The present Writ Petition is filed praying for a Mandamus, directing the respondents to pay sum equivalent to the liability towards payment of GST to the petitioner in respect of the agreement No. 33ADB/2015-16 as per G.O.Ms.No.296 Finance (Salaries) Department dated 09.10.2017 along with interest by considering the representations of the petitioner dated 20.05.2019, 24.07.2019, 30.01.2020, 10.12.2021, 17.01.2022, 15.04.2023, 16.08.2023, 06.09.2023 and 27.02.2024.

3. At the outset, the learned counsel appearing for the petitioner would confine his prayer for a direction to the fourth respondent to consider the petitioner's representation dated 27.02.2024 and pass orders within a period stipulated by this Court.



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4. Considering the limited prayer sought for by the learned counsel for the petitioner, there shall be a direction directing the fourth respondent to consider the representation of the petitioner dated 27.02.2024 and pass appropriate orders, on merits and in accordance with law, within a period of eight 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. Consequently, connected miscellaneous petition is closed.

05.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

1.The Secretary to Government,
The State of Tamil Nadu,
Public Works Department,
Secretariat,
Chennai – 600 009.



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Chepauk,
Chennai – 5.

4.The Superintending Engineer,
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5.The Executive Engineer, PWD/WRD,
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K.KUMARESH BABU, J.

Nsr

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