



WP(MD)No.22721 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 26.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

WP (MD) No. 22721 of 2017

M.Maria John

... Petitioner

Vs

1.The Commissioner,
Municipal Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

2.The Commissioner,
Nagercoil Municipality,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to disburse the final payment for the building contract work done by the petitioner by constructing 260 shops at Kanagamoolam daily vegetable market, Vadasery, Nagercoil, Kanyakumari District under work order No.NA.Ka.No.19443/2012/E1m dated 17.02.2014 based on the petitioner's representation dated 11.09.2017 within a period stipulated by this Court.



WP(MD)No.22721 of 2017

For Petitioner : Mr.Ananth C.Rajesh
For Respondent : Mr.A.Baskaran,
No.1 Additional Govt.Pleader
For Respondent : Mr.P.Aathimoola Pandian
No.2

ORDER

The petitioner is a contractor, who was awarded with a contract for construction of market in the year 2014 by the respondent Corporation. The petitioner has completed the work in the year 2016 itself. But the amount has not been settled by the Corporation. Therefore the petitioner has submitted a representation and has filed this writ petition.

2.Though the respondents have taken notice in this writ petition, they have neither settled the amount nor had filed any counter affidavit to this writ petition.

3.The learned Counsel for the respondent corporation submits that on 29.12.2023 completion



WP(MD)No.22721 of 2017

certificate has been sent to the 1st respondent and based on the orders of the 1st respondent, the amount would be disbursed.

4.This Court has considered the rival submissions made and perused the materials placed on record.

5.The work order was issued in the year 2014. The petitioner claims that the work was completed in the year 2016 itself. Once the work has been completed it is the responsibility of the respondent Corporation to disburse the amount as agreed vide the work order. The respondents have failed to settle the amount for the work done by the petitioner within a reasonable time. Therefore the respondents are directed to pay the final amount as per the work order condition within a period of twelve weeks from the date of receipt of a copy of this order along with interest for the belated payment.

6.In the result, this writ petition is allowed



WP(MD)No.22721 of 2017

in the above terms. No costs.

WEB COPY

26.02.2024

DSK

To

- 1.The Commissioner,
Municipal Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.
- 2.The Commissioner,
Nagercoil Municipality,
Nagercoil,
Kanyakumari District.



WEB COPY



WP(MD)No.22721 of 2017

B . PUGALENDHI , J .

dsk

WP (MD) No . 22721 of 2017

26.02.2024