



W.P.No.11541 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.11541 of 2021

P.Rayin

... Petitioner

Vs.

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

2.The Regional Director Head of Municipal Administration,
Kumaran Shopping Complex,
Near Tiruppur Railway Station,
Kumaran Road, Tiruppur – 641 601.

3.The Commissioner,
Gudalur Municipality,
Gudalur,
The Nilgiris.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records of the third respondent relating to the impugned order Na.Ka.No.2646/2016/C1 dated 24.12.2020 and consequentially directing the third respondent to quash the said order dated 24.12.2020 and consequentially directing the third



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respondent to make payment of the said outstanding sum of Rs.2,31,39,739/- (Rupees Two Crores Thirty One Lakhs Thirty Nine Thousand Seven Hundred and Thirty Nine only) with interest at the rate of 24% per annum for the period of from the date of due till the date of actual payment.

For Petitioner : Mr.P.Anbarasan

For Respondents 1 & 2 : Mr.M.S.Prem Kumar,
Government Advocate

For Respondent 3 : Mr.P.Srinivas,
Standing Counsel

ORDER

This writ petition has been filed by the petitioner to call for the records of the third respondent relating to the impugned order Na.Ka.No.2646/2016/C1 dated 24.12.2020 and consequentially directing the third respondent to quash the said order dated 24.12.2020 and consequentially directing the third respondent to make payment of the said outstanding sum of Rs.2,31,39,739/- (Rupees Two Crores Thirty One Lakhs Thirty Nine Thousand Seven Hundred and Thirty Nine only) with interest at the rate of 24% per annum for the period of from the date of due till the date of actual payment.



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2. Learned counsel for the petitioner submitted that the petitioner is a contractor, who undertakes road construction projects for improvements to BT Road at various wards under the Tamil Nadu Roads Infrastructure Programme. He successfully completed the assigned work; however, payments amounting to Rs.2,31,39,739/- for the financial year 2017-2020 remain unpaid despite multiple requests. The petitioner also filed an RTI application on 10.07.2020, and the respondent's reply on 20.08.2020 confirmed the outstanding amount. Despite repeated follow-ups and written representations, the respondent failed to release the payment, causing severe financial hardship to the petitioner.

3. Learned counsel for the petitioner would further submit that the petitioner approached this Court by filing W.P.No.14534 of 2020, and on 13.10.2020, this Court directed the respondents to consider the petitioner's representation dated 09.09.2020, within a period of six weeks from the date



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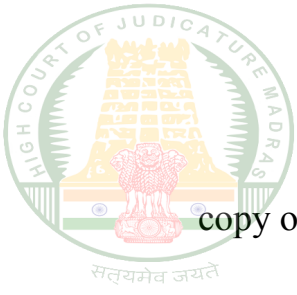
of receipt of that order. But, no order was passed. Hence, the petitioner has filed a contempt petition in Cont.P.No.384 of 2021. While hearing the contempt petition, the third respondent produced a compliance report dated 24.12.2020. Challenging the said report vide Na.Ka.No.2646/2016/C1, dated 24.12.2020, the petitioner has come forward with the present writ petition.

4. Learned standing counsel appearing for the third respondent has submitted that this Court may direct the petitioner to give a fresh representation for refund of the amount to the work carried out by him, within a time frame to be fixed by this Court.

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

6. In view of the submission made by the learned counsel on either side, this Court issues the following directions:

(i) The petitioner is directed to give an application/representation to the third respondent, within a period of two weeks from the date of receipt of a



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copy of this order;

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(ii) On receipt of such application/representation, the third respondent is directed to consider the same on merits, in accordance with law and pass appropriate orders, within a period of four weeks thereof.

7. This writ petition is disposed of with the aforesaid observation and directions. No costs.

18.03.2025

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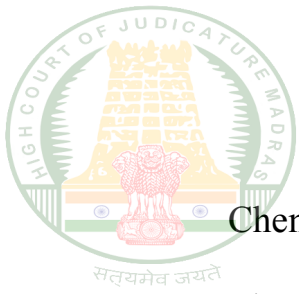
Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

Note: Issue order copy on 21.03.2025

To:

1.The Commissioner of Municipal Administration,
Ezhilagam, Chepauk,

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J.SATHYA NARAYANA PRASAD,J.

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