



W.P.No.13766 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.06.2025

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CORAM :
THE HONOURABLE MRS. JUSTICE N.MALA

Writ Petition No.13766 of 2025

M/s.Excel Engineering Enterprises,
No.63, Thamaraikulam,
Yelagiri Post, Jolarpet,
Vellore District,
Rep. by its Proprietor,
G.Kumaresan

... Petitioner

Vs.

1.The Director of Town Panchayats,
Santhome High Road,
Chennai – 600 028.

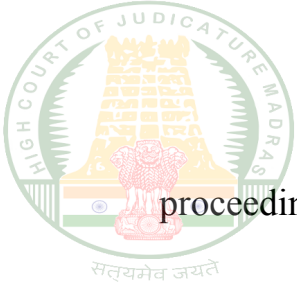
2.The Assistant Director of Town Panchayats,
Vellore Region,
Vellore – 9.

3.The Executive Officer,
Natrampalli Selection Grade Town Panchayat,
Natrampalli,
Vellore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondent to consider the representation of the petitioner dated 21.02.2025 and 12.03.2025 to return the EMD and FSD amount Rs.1,60,000/- to the petitioner based on the 3rd respondent

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proceedings in Na.Ka.No.510/2015/A1.

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For Petitioner : Mr.M.P.Rajavelayutham
For Respondents 1 & 2 : M/s.R.L.Karthika,
Government Advocate
For Respondent 3 : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

The petitioner has filed this petition to direct the respondent to consider the representation of the petitioner dated 21.02.2025 and 12.03.2025 to return the EMD and FSD amount Rs.1,60,000/- to the petitioner based on the third respondent proceedings in Na.Ka.No.510/2015/A1.

2. The case of the petitioner is that the petitioner is a Class-I contractor, was awarded a contract by the third respondent Panchayat for laying bituminous roads at Boopathy Street, Thayappar Street, Chinnasamy Street, and Veeraragavan Vattam to Kottaikollai in Natrampalli Town Panchayat, pursuant to a tender called on 16.09.2015 and a work order issued on 11.11.2015. The estimated cost of the project was Rs. 80,00,000/-. The Petitioner completed the work within the



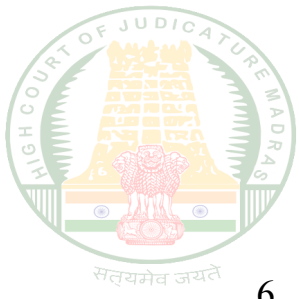
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stipulated time to the satisfaction of the third respondent, and measurements were duly recorded in the M-Book. At the time of tender submission, the Petitioner has deposited a sum of Rs.1,60,000/- towards EMD and FSD. Despite successful completion of the work and the expiry of the defect liability period, the said amount has not been returned to the Petitioner. Representations made on 21.02.2025 and 12.03.2025 to return the amount have yielded no response, compelling the petitioner to approach this Court.

3. Though many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that it would suffice if this Court issues direction to the third respondent to consider the petitioner's representations dated 21.02.2025 and 12.03.2025 on merits, in accordance with law, within a time frame to be fixed by this Court.

4. Learned Special Government Pleader appearing for the third respondent has no objection for the said order being passed by this Court.

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



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6. Considering the limited relief sought for by the learned counsel for the petitioner, this Court without going into the merits of the case directs third respondent to consider the petitioner's representations dated 21.02.2025 & 12.03.2025, after giving due notice to the petitioner, affording an opportunity of personal hearing and considering the documents filed by the petitioner on merits, in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

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

25.06.2025

vm/dsn

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

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N.MALA,J.

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