



W.P.No.34046 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.No.34046 of 2025

M/s.Sakthi Body Works,  
Rep. by its Proprietor, Mr.A.M.Elangovan,  
No.46, Poonamallee Bye-Pass Road,  
Opp. MTC Bus Depot,  
Poonamallee,  
Chennai-600 056.

.. Petitioner

VS

- 1.The Commissioner,  
Greater Chennai Corporation,  
Rippon Building,  
Chennai – 600 003.
- 2.The Superintending Engineer,  
Mechanical Department,  
Greater Chennai Corporation,  
Rippon Building, Chennai-600 003.
- 3.The Assistant Engineer,  
Mechanical Department,  
Greater Chennai Corporation,  
Rippon Building, Chennai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India  
praying to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to  
forthwith disburse to the petitioner the sum of Rs.8,70,000/- (Rupees



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Eight Lakhs Seventy Thousand only) together with interest at the rate of 24% per annum from 28.02.2020, the date of the work order, till the date of realization, in pursuance of Work Order No.M.E.D.C.No.M1/300/2020 dated 28.02.2020.

For Petitioner : Ms.N.Beulah John Selvaraj

For Respondents : Mr.DBR.Prabhu  
Standing Counsel

### **ORDER**

The petitioner is indulging in the business of fabrication of customised bodies for buses, trucks, etc. The Government had introduced a scheme under the name and style of '*Mobile Amma Unavagam*'. The object for the scheme was to feed daily wage labourers, construction workers and those who fall below the poverty line.

2.In order to implement this proposal, it was proposed that four wheelers manufactured by M/s.Ashok Leyland will be utilised. The petitioner participated in a tender, which was called by the 1<sup>st</sup> respondent for modification of the vehicles. The rate that had been fixed per vehicle, for carrying out the modification, was Rs.3,20,000/-. The time limit for such fabrication of the body was 10 days.

3.The petitioner states that despite the fact that he had fabricated three vehicles and had delivered them within time, the agreed amount of



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Rs.8,70,000/- had not been paid. Hoping that the amount will be paid to

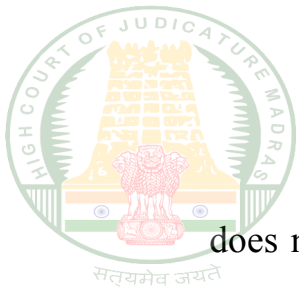
him, the petitioner also handed over the vehicles after due fabrication.

The petitioner made representations on 20.07.2022, 10.02.2023, 05.08.2024 and 23.01.2025 seeking payments.

4.The 1<sup>st</sup> respondent, who utilised the vehicle did not find it fit to make the payment. To extract work and not make the payments is exfacie unconstitutional. It amounts to forced labour and has been declared as 'begar' by Article 23 of the Constitution of India. It is not expected of a State body namely, the 1<sup>st</sup> respondent, to extract work and thereafter deny what is due to the writ petitioner. Taking note of the unfortunate circumstances in which the petitioner was placed, I called upon the learned Standing Counsel for the respondents to state as to why the payments were not made.

5.When the matter was called post lunch, the learned counsel produced the instructions given by the Executive Engineer of the Greater Corporation of Chennai. It states that a decision will be taken on the payment within two weeks.

6.When the contract had been entered into and when the figure is not in dispute, the Supreme Court has held in no uncertain terms that a Writ of Mandamus is maintainable. The question of taking a decision



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does not arise in the case. The respondents, as undertaken, shall pay the amount within a period of two (2) weeks from today i.e. on or before 24.09.2025.

7.In case, the amount is not paid as directed above, the Executive Engineer shall be present in Court on 25.09.2025. The writ petition is ordered. No costs.

8.Call on 25.09.2025 'for compliance'.

**10.09.2025**

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

vs

To

- 1.The Commissioner,  
Greater Chennai Corporation,  
Rippon Building, Chennai – 600 003.
- 2.The Superintending Engineer,  
Mechanical Department,  
Greater Chennai Corporation,  
Rippon Building, Chennai-600 003.
- 3.The Assistant Engineer,  
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**V. LAKSHMINARAYANAN,J.**

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