



W.P.(MD)No.13085 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.13085 of 2025

A.Sakthivel

: Petitioner

Vs.

1. The District Collector,
Thoothukudi District, Thoothukudi.

2. The Regional Director of Municipal Administration,
Municipal Administration, Tirunelveli.

3. The Commissioner,
Kayalpattinam Municipality,
Thoothukudi District.

4. The Engineer (Municipal),
Kayalpattinam Municipality,
Thoothukudi District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd and 4th respondents to release the balance work bill amount of Rs.20,14,000 for the completed work of Two Class Room Additional Building at Odakkarai Municipal Middle School, Kayalpattinam, Thoothukudi District by considering the petitioners representation dated on 26.02.2025.



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For Petitioners : Mr.M.Jegadeesh Pandian

For Respondents : Mr.K.S.Selva Ganesan,

Addl. Government Pleader

for R1 & R2

Mr.V.Nirmal Kumar

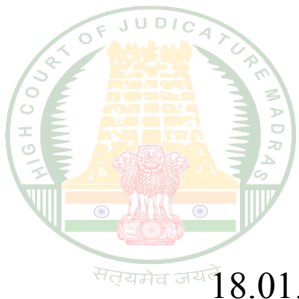
for R3 & R4

ORDER

This Writ Petition has been filed seeking a direction to the respondents 3 and 4 to release the balance work bill amount of Rs. 20,14,000 for the completed construction of a 'Two-Classroom Additional Building' at Odakkarai Municipal Middle School, Kayalpattinam, Thoothukudi District, by considering the petitioner's representation dated 26.02.2025 .

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The petitioner asserts that pursuant to an e-tender dated 15.12.2023, he was awarded a work order by the third respondent on



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18.01.2024 for the construction of a Two-Classroom Additional Building at Odakkarai Municipal Middle School, Kayalpattinam, for an estimated amount of Rs.34,00,000/-. The petitioner's grievance is that although the work was completed and the completion report was submitted to the fourth respondent, the fourth respondent has not processed the corresponding work bill. The petitioner submitted a representation dated 26.02.2025 to the official respondents, requesting release of the balance amount of Rs.20,14,000/-. As no action has been taken, the petitioner has filed the present writ petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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5. In the light of the above observations, there shall be a direction to the third respondent to consider the petitioner's representation dated 26.02.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the third respondent to consider the same on its own merits.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

29.04.2025

Index : Yes / No

Internet : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

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