



W.P.(MD)No.12805 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

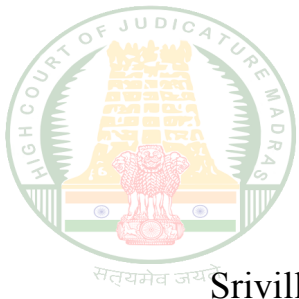
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Gelind Tech Consultants
Rep. by its Managing Director
Karuppiah

: Petitioner

Vs.

- 1.The Principal Secretary,
Department of Rural Development,
Government of Tamilnadu,
Chennai - 600009.
2. The Chairman / District Collector,
Virudhunagar District Rural Development Agency,
NH7, Kumaraswamy Nagar,
Kooraikundu,
Virudhunagar District - 626002.
3. The Director,
Rural Development and Panchayat Raj,
Pangal Maligai,
4th and 5th Floor,
Abdul Razzak St. Saidapet,
Chennai - 600015.
4. Rural Development Office (Village Panchayat),
Rajapalayam Village Panchayat,
Rajapalayam,
Virudhunagar District.
5. Rural Development Office (Village Panchayat),
Srivilliputhur Village Panchayat,



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Srivilliputhur,
Virudhunagar District.

6. Assistant Executive Engineer,
(Rural Development) Rajapalayam,
Sub Division,
Rajapalayam,
Virudhunagar District.

7. Assistant Executive Engineer,
(Rural Development),
Srivilliputhur Sub Division,
Srivilliputhur,
Virudhunagar District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondents to disburse the pending amount of Rs. 1,65,44,900/- along with 12 percent interest per annum from due date till realization as per clause 38 of the e-tender document for the work completed by the petitioner with in the time stipulated by this Court.

For Petitioners : Mr.M. Sakthi Sriram

For Respondents : Mr.C.Venkatesh Kumar

Spl. Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to disburse the pending amount of Rs.1,65,44,900/- along with 12 percent interest per annum from due date till realization as per Clause 38 of the e-tender document for the work completed by the petitioner.

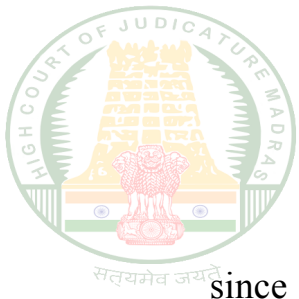


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2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner claims to be a registered MSME firm and states that it was awarded work under the Jal Jeevan Mission Phase-II for the year 2020–2021. The petitioner asserts that a work order for four packages was issued to his firm on 18.01.2021, pursuant to a notification dated 26.08.2020. Despite facing various obstacles, the petitioner completed 13 out of 23 works in full and carried out an additional 9 works up to 62%, even by utilizing his own funds. However, a termination order dated 29.11.2021 was issued, citing insufficient progress. The grievance of the petitioner is that, despite repeated requests, the layout drawings and essential FHTC components were provided only after a delay of nine months from the date of the agreement, thereby severely limiting the time available for execution. In the meantime, the respondents proceeded to terminate the contract awarded to the petitioner. In this regard, the petitioner submitted a representation dated 19.04.2025 to the second respondent. However,



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since no action has been taken, the petitioner has now 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.

5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 19.04.2025, 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



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any of its views with regard to the merits of the matter and that it is open to the second 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

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VIVEK KUMAR SINGH, J.

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