

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

DATED : 04.11.2025**CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.14082 of 2022**

T.Amirtharaj

... Petitioner

Vs.

1. The Divisional Engineer(Works),
Southern Railway,
Divisional Railway Office,
Trivandrum – 695 014,
Kerala.

2. The Senior Section Engineer(Works),
Southern Railway,
Nagercoil Junction,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to prepare a bill for an amount of Rs.15,48,870/- (Rupees Fifteen Lakhs Forty Eight Thousand Eight Hundred and Seventy only) as fourth and final bill which is payable to the petitioner as per the agreement made between the first respondent herein and the petitioner in L.No.118/TVC/2018 dated 08.08.2018 and 22.11.2019 and further direct the respondents herein to sanction and disburse the above amount with 12% interest to the petitioner within a stipulated time frame by this Court.



For Petitioner : Mr.C.Kishore
For R-1 & R-2 : Mr.K.P.Krishnadoss,
Central Government Standing counsel.

* * *

ORDER

Heard both sides.

2. The petitioner is a railway contractor. According to him, a sum of Rs.15,48,870/- remains to be paid towards bill amount. The stand of the respondents is that only a further sum of Rs.53,436/- is liable to be paid. There are serious factual disputes. In the writ Court, this issue cannot be agitated. The petitioner is therefore permitted to move the jurisdictional civil Court. If the suit is filed within a period of eight weeks from the date of receipt of a copy of this order, the same will be entertained without reference to limitation. It is for the civil Court to decide the actual entitlement of the writ petitioner.

3. With the aforesaid liberty to the writ petitioner, this writ petition stands disposed of. No costs.

04.11.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
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