



W.P.(MD)No.16545 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD)No.16545 of 2019

Govindaraj

.. Petitioner

Vs.

1.The Block Development Officer,
Vaiyampatti Panchayat Union,
Manaparai Taluk,
Trichy District.

2.The Assistant Divisional Engineer,
(Highways)(Construction and Maintenance),
Manapparai,Trichy District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the 1st respondent dated 13.06.2019 and quash the same and consequently direct the 1st respondent to disburse the amount of Rs.77,375/- with simple interest till the date of disbursement.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader



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ORDER

This writ petition has been filed for the following relief:

“To call for the records pertaining to the impugned order of the 1st respondent dated 13.06.2019 and quash the same and consequently direct the 1st respondent to disburse the amount of Rs.77,375/- with simple interest till the date of disbursement.”

2. The case of the petitioner is that he was a registered contractor. He was awarded with the work of construction of culvert at Kattakampatti. When the work was completed and application for grant of final bill amount was made, it was informed that due to non-sanctioning of funds, the payment was not made. The petitioner was continuously making an attempt to get sanction of the money due to him, but to no avail. The petitioner has applied under the Right to Information Act and sought for details to be furnished in respect of amount sanctioned and disbursed towards the completed works in the year 1982-83. Since the same was not considered, the petitioner has filed an appeal before the appellate authority, namely the Assistant Director of



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Panchayat. Thereafter, the petitioner's application was forwarded to the respondents for issuance of proper reply. On 31.08.2017, the respondent directed the petitioner to produce entire records since there was no record available in the office. Pursuant to this, the petitioner has also submitted all the records to substantiate the claim. On receipt of the said particulars, on 16.10.2017 it was informed that after getting document from record room, necessary reply will be given. Thereafter, the respondent by proceedings dated 09.01.2018 stated that suit in O.S.No.767 of 2003 is pending before the District Court, Trichy and based on the said judgment and decree, reply will be given. Not being satisfied with the same, the petitioner submitted a representation dated 11.02.2019. The representation was rejected on the ground that, after a lapse of 35 years, no records relating to the work in question were available in the office and no amount had been sanctioned for the said work. Therefore, the claim of the petitioner cannot be considered and the amount cannot be disbursed. Challenging the same, the petitioner is before this Court.

3. Heard the learned counsels on either side.



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4. The only ground for rejecting the representation was delay. The delay has been attributed to the pendency of the suit which has been admitted by the Block Development Officer himself in his response to the RTI query, dated 09.01.2018. Therefore, this writ petition is disposed of with the following directions :

(i) The petitioner shall submit a fresh representation enclosing all the necessary documents within a period of one (1) week from the date of receipt of copy of this order.

(ii) On receipt of the same, the 1st respondent shall consider the representation and pass orders for payment to the petitioner, taking into consideration the documents to be submitted by the petitioner, within a period of four (4) weeks therefrom.

5. With the above directions, this Writ Petition stands disposed of.
No costs.

07.11.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes
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To

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- 2.The Assistant Divisional Engineer,
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P.T.ASHA, J.

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