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W.P.(MD)NO.28549 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28549 of 2025

A.M.Subburaj

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu Water Supply & Drainge Board,
Kamarajar Salai, Chepauk,
Chennai – 5.
2. The Chief Engineer,
Tamil Nadu Water Supply & Drainage Board,
Thanjavur.
3. The Superintending Engineer,
Tamil Nadu Water Supply & Drainage Board,
Thanjavur.
4. The Executive Engineer,
Tamil Nadu Water Supply & Drainge Board,
Thanjavur.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle the belated payment interest at the rate of 12 percent p.a. on the delayed payment of unpaid dues of Rs.57,93,906/- towards the Execution of the TWAD Board Project office building and allied works at Pillayarpatty in SF.No.243/2 in



Thanjavur-Trichy Road in Thanjavur District vide Agreement No.CE/TNJ.02/2018-2019/ dated 02.05.2018 from the date of completion of the project on 28.10.2020 till the date of settlement on 12.02.2025.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.R.Satheesh

* * *

ORDER

Heard both sides.

2. The writ petitioner had carried out certain contractual works for TWAD Board. Since the bill amount was not settled, W.P. (MD)No.14050 of 2024 was filed. The writ petition was disposed of by me on 28.06.2024. Since the direction to pay the bill amount was not complied with, immediately, the petitioner filed contempt petition also. Thereupon, the bill amount was settled. The grievance projected in this writ petition is that the interest component was not settled.

3. The learned counsel would point out that in the order dated 28.06.2024, I had observed that the issue regarding payment



of interest was left open. This observation has given leverage to the writ petitioner herein.

4. I am not in a position to grant any relief for more than one reason. Admittedly, the cause of action had arisen way back in the year 2020. The writ petition was filed only in June 2024. If the writ petitioner had to file suit, he had to pay the Court fees. The limitation point would also have operated against the writ petitioner. In fact, the writ petition itself was strictly speaking not maintainable. The Hon'ble Division Bench in more than one case had observed the same. The writ petitioner must be happy that the Board did not challenge the writ order before the Hon'ble Division Bench. Since the writ petition was filed after a lapse of more than 4 years, the question of directing the respondents to settle the interest component does not arise at all. This writ petition stands disposed of. No costs.

14.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN,J.

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