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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.31909 of 2025

Murali

..Petitioner

Vs

1.The Commissioner,
Madurai Corporation,
Madurai 625 020.

2.The Executive Engineer,
Madurai Corporation,
Madurai 625 020.

3.The Chief Accounts Officer,
Madurai Corporation,
Madurai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to disburse the EMD, AEMD and WHA for the works completed pursuant to the work orders from 2009 to 2025 by considering the representation of the petitioner dated 11.08.2025.



For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.S.Vidhyasagar

ORDER

This writ petition is filed for a Mandamus to direct the respondents to disburse the EMD, AEMD and WHA for the works completed pursuant to the work orders from 2009 to 2025 by considering the representation of the petitioner dated 11.08.2025.

2.Heard the learned counsel appearing for the petitioner and Mr.S.Vidhyasagar, learned counsel, who takes notice on behalf of the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.It is the case of the petitioner that he is the registered contractor with the first respondent and he was issued several works from the year 2009 to 2023 by way of various work orders of the respondents. The said works were completed successfully by the petitioner. It is the contention of the petitioner that his E.M.D, AEMD and WHA amounts were withheld by the first respondent. In this regard, he has been submitting an application from 28.09.2018 seeking refund of the said



amount. However, there was no response. This constrained the petitioner to file W.P(MD).No.16076 of 2024, wherein this Court directed the respondent therein to consider the representation of the petitioner dated 22.04.2023 and 30.05.2024. Pursuant to the same, when the petitioner was bonafidely waiting for disbursement of the amounts, the second respondent vide order dated 16.12.2024 called upon the petitioner to submit further files in order to get NOC and thereafter only, the amount will be disbursed. He further contended that the amount deposited towards EMD are to be necessarily refunded after completion of works. Therefore, the question of getting NOC from the audit department does not arise. Further, the respondents are not entitled to withhold the amount in question and the non-disbursement of the amount is illegal. Therefore, the petitioner sent another detailed representation dated 11.08.2025. Since there was no response, the petitioner is before this Court by filing the above petition.

4.Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 11.08.2025 and pass orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

10.11.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
Rmk

To

1. The Commissioner,
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Madurai 625 020.

2. The Executive Engineer,
Madurai Corporation,
Madurai 625 020.

3. The Chief Accounts Officer,
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P.T.ASHA, J.

Rmk

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