



W.P.(MD) No.35920 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.35920 of 2025

M/s. Vithya Infrabuilt,
Rep by its Proprietor,
Vithya, D/o. Balu,
Building No./Flat No.93,
Panjayath Union Office Street,
Mudukulathur,
Ramanathapuram District.

... Petitioner

Vs

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Executive Engineer,
TWAD Board, Collectorate Campus,
Ramanathapuram District.

3.Mamatha Infra Private Limited,
Rep by its Director,
1st Floor, 86A, LGB Nagar West,
Arivuthirukovil Lane,
Karur – 639002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to conclude the enquiry based on the communication of the 1st respondent



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dated 24.10.2025 and to take necessary action as against the 3rd respondent within a time frame that may be stipulated by this Court.

For Petitioner : Mr. K.Muthuvai Ilayaraja

For Respondent : Mrs. K.Malathi,
Addl. Govt. Pleader for R1.

Mr. B.Vijay Karthikeyan for R2

ORDER

This Writ Petition is filed seeking a Mandamus as against the 2nd respondent to conclude the enquiry based on the communication of the 1st respondent dated 24.10.2025 and to take necessary action as against the 3rd respondent within a time frame that may be stipulated by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed as against the third respondent, notice to them is dispensed with.

3. It is the case of the petitioner that the petitioner firm is a proprietary concern engaged in infrastructure development works, particularly in civil and water supply projects. The third respondent, is



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the principal contractor engaged by the TWAD Board for the implementation of Jail Jeevan Mission – Package III, covering Muthukulathur Union in Ramanathapuram District. The petitioner firm was engaged by the third respondent through proper agreement as a subcontractor for execution of specific portions of civil and pipeline works under the said project. Despite satisfactory execution of work, the 3rd respondent has delayed payment of running bills, withheld legitimate dues, failed to finalize joint measurements and reconciliation and has issued arbitrary verbal instructions including threats of illegal termination. Hence, the petitioner submitted a detailed complaint on 14.10.2025, to the first respondent seeking to conduct a proper enquiry and necessary action. After receipt of the same, the first respondent forwarded the same to the 2nd respondent by its communication dated 24.10.2025, directing the 2nd respondent to conduct an appropriate enquiry and take necessary action in accordance with law. However, till date, no action has been taken by the 2nd respondent. Hence, the petitioner has approached this Court by way of this Writ Petition.

4. The learned Special Government Pleader appearing for the first respondent would submit that originally the project has been



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given to M/s.Prathima Infra Private Limited, Hyderabad. The said Prathima Infra Private Limited has given the sub-contract to the third respondent and the third respondent engaged the service of petitioner. Therefore, purely there is a money dispute for which no enquiry has been conducted and the petitioner can approach the civil forum.

5. Considering the facts and circumstances of the case, this Court is of the view that there is a dispute regarding non-payment of money between the private parties and the same cannot be resolved by directing the respondents 1 and 2 to conduct enquiry. Therefore, under these circumstances, the right course available to the petitioner is to approach the civil Court and adjudicate the same in the manner known to law. Hence, I do not find any merit in this Writ Petition and the same is liable to be dismissed.

6. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

16.12.2025

vsm
Index : Yes/No
NCC : Yes/No



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To

1. The District Collector,
Ramanathapuram District,
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2. The Executive Engineer,
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KRISHNAN RAMASAMY, J.

vsm

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