



W.P.(MD).No.3183 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.3183 of 2025

P.R.Sakthivel Raja

... Petitioner

-vs-

1. The District Collector,
Collectorate,
Tirunelveli.

2. The Additional Collector / Project Officer,
District Rural Development and Panchayat Raj Agency,
Tirunelveli District.

3. The Block Development Officer,
Kalakkadu Block, Kalakkadu,
Tirunelveli District.

4. The Block Development Officer,
Vallioor Block, Vallioor,
Tirunelveli District.

5. The Block Development Officer,
Nanguneri Block, Nanguneri,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to disburse the arrears amount of Rs.1,27,93,300/- along with interest from the date of completion of



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work and till the date of realization to the petitioner for Supply, Installation and Commissioning of 13 nos, of Reverse Osmosis (RO) plants in Rural Areas done at 3rd to 5th respondent's blocks and security deposit amount of Rs.29,57,000/- and a retention money of Rs.24,47,579/- to the petitioner within the stipulated time based on the petitioner's representation dated 19.06.2024.

For Petitioner : Mr.R.Subburaj

For Respondent : Mr.R.Sureshkumar

Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to disburse the arrears amount of Rs.1,27,93,300/- along with interest, from the date of completion of work till the date of realization for Supply, Installation and Commissioning of 13 nos. of Reverse Osmosis (RO) plants in Rural Areas done at 3rd to 5th respondent's blocks and to disburse the security deposit amount of Rs.29,57,000/- and retention money of Rs. 24,47,579/- to the petitioner within the stipulated time, based on the petitioner's representation dated 19.06.2024.

2. Heard the learned counsel on either side.



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3. The petitioner made a representation dated 19.06.2024 to the second respondent, with regard to disbursement of the arrears amount of Rs.1,27,93,300/- along with interest from the date of completion of the work till the date of realization, for Supply, Installation and Commissioning of 13 nos, of Reverse Osmosis (RO) plants in Rural Areas done at 3rd to 5th respondent's blocks and also to disburse the security deposit amount of Rs.29,57,000/- and the retention money of Rs.24,47,579/- to the petitioner. Since the said representation was not considered, the petitioner has filed the present writ petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representations dated 19.06.2024, on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

04.03.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.3183 of 2025

Dated:
04.03.2025