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W.P.No.16278 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No.16278 of 2026

M/S.Harrsha Infra Projects
Private Ltd., AL 70, 4th Street,
11th Main Road, Shanthi Colony,
Anna Nagar, Chennai-600 040
rep. by its Managing Director
E.Ravichandran

...Petitioner

Vs

1. The Chief Engineer, Tamil Nadu
Water Supply & Drainage Board,
Vellore, Vellore District.
2. The Superintending Engineer,
Tamil Nadu Water Supply & Drainage
Board, Cuddalore Villupuram Circle,
Cuddalore, Cuddalore District.
3. The Executive Engineer, Tamilnadu Water
Supply & Drainage Board, RWS Division,
Cuddalore, Cuddalore District.

...Respondents



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PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to sanction of 4th price escalation and make eligible payment of Rs.5,64,78,050/- for the price escalation of the extension of time period as per the representations of the petitioner dated 13.7.2023, 19.9.2025, 25.7.2025 and 21.1.2026 based upon the recommendation of the 3rd respondent in Lr.No.F.CWSS to Thittakudi/P-II/JDO/RWS/CUD/2023/Date.17.7.2023 on the file of the 3rd respondent.

For Petitioner : Mr.S.Doraiswamy

ORDER

This is a petition filed by the petitioner seeking a direction to the respondents to sanction the 4th price escalation and make eligible payment of Rs.5,64,78,050/- for the price escalation of the extension of time period as per the representations of the petitioner dated 13.7.2023, 19.9.2025, 25.7.2025 and 21.1.2026 based upon the recommendation of the 3rd respondent in Lr.No.F.CWSS to Thittakudi/P-II/JDO/RWS/CUD/2023 vide letter dated 17.7.2023.



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2. Heard the learned counsel for the petitioner. In view of the limited nature of the relief this Court proposes to grant, notice to the respondents is dispensed with and the writ petition itself is taken up for final disposal.

3. The case of the petitioner is as follows:

(i) The petitioner is a class-1 contractor under the respondent Board. The petitioner has more than 8 years of experience in executing pipeline and civil works. The first respondent invited a tender on 08.7.2020 for providing Combined Water Supply Scheme to Thittakudi, Pennadam, Mangalampettai, Vadalur, Kurijipadi and Gangaikondan Town Panchayts and 625 habitations in Mangalore, Nallur and Virudhachalam, Unions of Cuddalore District with NLC mine water as source. The petitioner participated in the said tender and he was the successful bidder. Further, the first respondent awarded the tender to the petitioner for a sum of Rs.66,65,37,000/-.

(ii) After negotiation with the respondent Board regarding final value of the tender, the work order was issued to the petitioner on 11.12.2020. Later, a lease agreement was executed between the



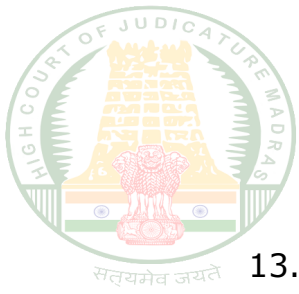
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petitioner and the first respondent on 07.1.2021, as per which, the work should be completed within 18 months from the date of the agreement. In addition, as per the terms of the agreement, the petitioner deposited Rs.1,33,31,000/- in the form of bank guarantee in the office of the Executive Engineer, TWARD Board, RWS Division, Kallakurichi as performance guarantee. Pursuant to that, the petitioner started executing the work to the specified standard as per the conditions of contract.

(iii) Out of the four packages in the scheme, package No.2 was awarded to the petitioner by the first respondent. Though the scheduled date of completion of the project was 31.5.2022, the work got delated due to various administrative reasons. Later, on 20.5.2022, 15.12.2022, 31.1.2023, 09.6.2023, 16.10.2023 and 21.3.2024, extension of time was granted upto 31.3.2024 for completion of the work.

(iv) According to the petitioner, the work was successfully completed on 31.3.2024 and the completion certificate was issued by the first respondent on 15.12.2024. As per Price Adjustment Clause namely Clause 50.1.8, the petitioner is entitled to price adjustment. Hence, the petitioner made a representation on



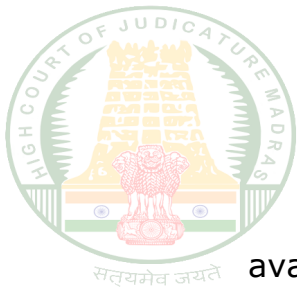
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13.7.2023 to the respondent Board for the 4th price escalation for the work executed. The first respondent already released three price escalations and made payments. Pursuant to the request made by the petitioner, the third respondent sent a communication on 17.7.2023 recommending to respondents 1 and 2 to issue necessary order for price escalation in order to make payment to the petitioner on the reason that the delay was on the part of the Department.

(v) According to the petitioner, the delay was only on the side of the respondent Board and not on the part of the petitioner. Hence, the price escalation is applicable to the petitioner. Though several reminders were given to the respondent Board on 19.9.2025, 25.7.2025 and 21.1.2026 by enclosing the working sheet for the eligible amount of Rs.5,64,78,050/-, there is no favourable response. The non payment of the fourth price escalation amount has affected the petitioner and has caused financial crisis and mental agony. It also has impact on the ongoing tender works. Hence the writ petition.

5. This Court has carefully considered the submissions of the learned counsel for the petitioner and perused the materials



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available on record.

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6. It is seen from the typed set of papers that the petitioner sent several representations to the respondents and last of such representations is dated 21.1.2026. Hence, this Court is of the considered view that the said representation can be directed to be considered by the second respondent at the earliest.

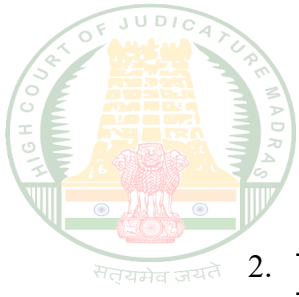
7. Accordingly, the writ petition is disposed of with a direction to the second respondent to consider the said representation of the petitioner dated 21.1.2026 on merits and pass appropriate orders thereon in accordance with law within a period of six weeks from the date of receipt of a copy of this order after affording an opportunity of hearing to all concerned.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

To

1. The Chief Engineer, Tamilnadu Water Supply & Drainage Board, Vellore, Vellore District.



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2. The Superintending Engineer,
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Board, Cuddalore Villupuram Circle,
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M.DHANDAPANI,J

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