

(2023) 06 KL CK 0321

In the High Court Of Kerala

Case No : Writ Petition (C) No. 20141 Of 2023

Ramani.S. Nair

APPELLANT

Vs

Kerala Water Authority Represented By Its Managing Director,
Jalabhavan, Vellayambalam, Thiruvananthapuram, Pin
695010

RESPONDENT

Date of Decision : 21-06-2023

Acts Referred:

Citation : (2023) 06 KL CK 0321

Hon'ble Judges : P.V.Kunhikrishnan, J

Bench : Single Bench

Advocate : Ajith Krishnan, V.P.Ramesan, P.M.Johny

Final Decision : Disposed Of

Judgement

P.V.Kunhikrishnan, J

1. The above writ petition is filed with following prayers:

"i. Issue a writ of Mandamus or any other appropriate writ or order or direction, commanding the respondents to disburse the retention amount of Rs. 72,33,589/- (Rupees Seventy Two Lakhs Thirty Three Thousand Five Hundred and Eighty Nine only) with regard to the work of Exhibit PI to P8 forthwith.

ii. Issue a writ of Mandamus or any other appropriate writ or order or direction, commanding the respondents to pay the interest @ 18% on the amount due to the petitioner forthwith.

iii. The petitioner may be permitted to dispense with the filing of translation of vernacular documents.

iv. Issue such other appropriate writ, order or direction as this Hon'ble Court deems fit and proper, in the circumstances of the case." (sic)

2. When this writ petition came up for consideration, the counsel for the

petitioner submitted that the petitioner is aggrieved because the retention amount is not returned by the water authority. The petitioner submitted Ext.P9 representation before the 1st respondent. The same is also not considered is the grievance. The counsel for the petitioner submitted that there may be a direction to consider Ext.P9 in the light of Exts.P1 to P8.

3. Heard the Standing Counsel appearing for the water authority also.

4. After hearing both sides, I think this writ petition itself can be disposed of directing the 1st respondent to consider Ext.P9 in the light of Exts.P1 to P8.

Therefore, this writ petition is disposed of in the following manner:

1. The 1st respondent is directed to consider and pass orders in Ext.P9, after giving an opportunity of hearing to the petitioner, as expeditiously as possible, at any rate, within six weeks from the date of receipt of a certified copy of this judgment.

2. While deciding the matter, the 1st respondent will also consider Exts.P1 to P8.

3. Based on the above directions, if any amount is due to the petitioner, the same will be disbursed to the petitioner forthwith.

4. The petitioner will produce a stamped certified copy of this judgment together with a copy of this writ petition before the 1st respondent for compliance.