



W.P. Nos.15639 and 15641 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2026

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CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. Nos.15639 and 15641 of 2026

M/s.C.S.Construction Company
No.44/36, Minor Ramanathan Nagar
Dharapuram 638 656
Tiruppur District
Represented by its
Managing Partner
C.Semalaiappan.

..Petitioner in both
W.P.s

Vs

1. The Chief Engineer
Highways Department
Construction and Maintenance
Guindy, Chennai 600 025.
2. The Superintending Engineer
Highways Department
Construction and Maintenance
Tiruppur 641 602.
3. The Divisional Engineer
Highways Department
Construction and Maintenance
Dharapuram 638 656
Tiruppur District.
4. The Assistant Divisional Engineer
Highways Department
Construction and Maintenance
Moolanur 638 106.
Tiruppur District.

..Respondents in both
W.P.s



W.P. Nos.15639 and 15641 of 2026

Prayer in W.P. No.15639 of 2026 : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the respondents 2 and 3 to extend the time by 45 days from the date of extension for the completion of work in TPR053 and to disburse the pending payment for the works done by the petitioner till 20.01.2026

Prayer in W.P. No.15641 of 2026 : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the respondents 2 and 3 to extend the time by 45 days from the date of extension for the completion of work in TPR063 and to disburse the pending payment for the works done by the petitioner till 20.01.2026

In both W.P.s

For Petitioner : Mr.P. Kannankumar
For Respondents : Mr.A. Selvendran
Spl. Govt. Pleader

COMMON ORDER

Since the issue involved in both these writ petitions is one and the same, these writ petitions are disposed of by way of a common order.

2. Both these writ petitions have been filed seeking for a direction to the respondents 2 and 3 to extend the time for completion of the work and to disburse the pending amounts payable to the petitioner.



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3. It is stated that the petitioner is a Class-I Contractor who was awarded road work by the respondent Department for widening from single lane to intermediate lane, strengthening, improvement of riding quality and reconstruction of i) box culvert in Government Roads at Moolanur under Work No.TPR053 insofar as W.P. No.15639 of 2026 is concerned and ii) Poolankinar – Dhali Road in work No.TPR063 insofar as W.P. No.15641 of 2026 is concerned.

4. It is further stated that the petitioner commenced the work in accordance with the specifications and had completed more than 50% of the work (W.P. No.15639 of 2026). According to the petitioner, due to subsequent participation in another tender floated under the NABARD Scheme, the work could not be completed in full within the prescribed time limit. Subsequently, they submitted representations seeking extension of time by 45 days to complete the remaining work and also sought disbursement of pending payments.

5. Likewise, insofar as W.P. No.15641 of 2026 is concerned, the petitioner has completed all the work and the deficiencies pointed by the respondents have to be carried out.

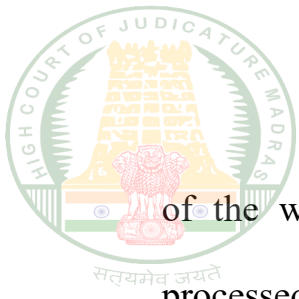
6. In the above circumstances these writ petitions have been filed seeking extension of time as well as for disbursement of payment. Since the



representations submitted by the petitioner was not considered in proper perspective, they have approached this Court by filing these writ petitions.

7. Learned counsel for the petitioner submitted that the petitioner has substantially completed the work and only a small portion remains. He further submitted that the petitioner has already made representations seeking extension of time and release of pending payments to enable completion of the balance work. He further contended that the delay is neither wilful nor deliberate and in the interest of completing the public work, reasonable extension ought to be granted. On the aforesaid score, he prayed for issuance of appropriate directions in this regard.

8. Per contra, the learned Special Government Pleader appearing for respondents on instructions, relying upon the status report filed by the 4th respondent insofar W.P. No.15639 of 2026 is concerned submitted that certain works remain incomplete. He further submitted that inspections were carried out and defects were pointed out, but rectification has not been fully completed. He also submitted that subsequent to petitioner's representation, the respondents have considered the interest at large and have already granted extension upto 31.05.2026 and this Court may reasonable time extension. He further contended that as per the contract conditions, the contractor is required to submit a separate request of Extension of Time (EOT), He further submitted that upon completion



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of the work and verification, the eligible bills of the petitioner would be processed and settled in accordance with the terms and conditions of the contract.

9. However, he fairly submitted that insofar as W.P. No.15641 of 2026 is concerned, particularly by relying upon status report submitted that the entire work has been completed and bills were forwarded to the Government. After getting approval, the pending bill will be cleared upon verification.

10. In view of the fair submission as referred to supra, learned counsel for the petitioner seeks permission of this Court to withdraw W.P. No.15641 of 2026. He has made an endorsement to that effect in the Court bundle. Therefore, he prayed for issuance of appropriate directions.

11. This Court has considered the submissions made by learned counsel on either side and perused the materials available on record, including the status report filed by the 4th respondent.

12. In view of the fact that the respondents themselves have already granted extension of time till 31.05.2026, this Court is of the view that the petitioner can be granted a further reasonable time to complete the remaining work, in order to ensure completion of the project. Accordingly, the petitioner is directed to complete the work on or before 15.06.2026.



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13. It is made clear that upon completion of the work, the respondents shall consider the petitioner's claim for pending bills and disburse the eligible amount, strictly in accordance with the terms and conditions of the contract, viz., stage wise, after due verification.

14. W.P. No.15639 of 2026 stands disposed of with the above directions. Further, recording the submission as well as endorsement made by the learned counsel for the petitioner in the Court bundle, W.P. No.15641 of 2026 stands withdrawn.

15. It is made clear that this Court has not expressed any opinion on the merits of the case, while disposing the aforesaid writ petitions. No costs.

21.04.2026

Index : Yes / No
Speaking Order / Non-speaking order
Neutral Citation Case : Yes / No
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M. DHANDAPANI, J.

vsi2

To

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