



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Fifth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr.Justice R. SUDHAKAR
and
The Hon`ble Ms.Justice V.M.VELUMANI

WP(MD) No.1720 of 2010

M.V.CHELLAIAH SERVAI

... PETITIONER

Vs

1 THE DISTRICT COLLECTOR,
PUDUKOTTAI DISTRICT.

2 THE JOINT DIRCTOR PLANNING OFFICER,
THE DISTRICT RURAL DEVELOPMENT AGENCY,
PUDUKOTTAI DISTRICT.

3 THE BLOCK DEVELOPMENT OFFICER
MANALMELKUDI, PUDUKOTTAI DISTRICT.

4 THE PRESIDENT,
NIRKUPPAI VILLAGE PANCHAYAT,
PUDUKOTTAI DISTRICT.

... RESPONDENTS

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court may be pleased to issue a Writ of Mandamus or any other Writ or Order or Direction in the nature of Writ directing the respondents to carry out the Oorani development at Chemmanampottal Kallam Oorani as per the proceedings in Na.Ka.No.743/09 dated 07.09.2009 granted by 2nd respondent.

ORDER : This petition coming on for hearing on this day upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MRS.S.SRIMATHY, Advocate for the petitioner and of MR.A.K.BASKARAPANDIAN, Special Government Pleader on behalf of the Respondents the court made the following order:-

(Order of the Court was made by **R. SUDHAKAR, J**)

We find that the writ petition has been filed based on misconception and confusion in the mind of the writ petitioner based on the resolution of the Panchayat which is unsigned.

2.The allegation of the petitioner is that instead of taking up renovation work in the Oorani, money is being spent to form a new oorani.

3.On the contrary, we find from the proceedings of the Joint Director Planning Officer, Pudukottai District, the second respondent herein, dated 07.09.2009 that a sum of Rs.4 lakhs has been



sanctioned for development of Chemmanampottal Pillayarkoil Oorani of the fourth respondent village.

4.It is seen from the document filed by Mr.A.K.Baskarapandian, learned Special Government Pleader that resolution of the panchayat which is signed by the President and the Block Development Officer.

5.The petitioner has filed this writ petition based on an unsigned and different resolution and therefore, he is directed to show proof or authenticity as to the source of such document which enabled him to file the present writ petition. If the petitioner is not able to establish *bona fide* in filing the writ petition, we may decide to take appropriate steps/proceedings against the petitioner for initiating proceedings in the guise of public interest without any basis.

6.List the matter on 09.10.2015.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

TO

1 THE DISTRICT COLLECTOR, PUDUKOTTAI DISTRICT.

2 THE JOINT DIRECTOR PLANNING OFFICER,
THE DISTRICT RURAL DEVELOPMENT AGENCY, PUDUKOTTAI DISTRICT.

3 THE BLOCK DEVELOPMENT OFFICER
MANALMELKUDI, PUDUKOTTAI DISTRICT.

4 THE PRESIDENT, NIRKUPPAI VILLAGE PANCHAYAT, PUDUKOTTAI DISTRICT.

5 M.V.CHELLAIAH SERVAI
S/O.VEERAPPAN SERVAI, CHEMMANAMPOTTAL VILLAGE,
MANALMELKUDI TALUK, PUDUKOTTAI DISTRICT.

Akm/08.10.2015 /2p-6c/

ORDER DATED : 05/10/2015
DIRECTION
WP(MD) No.1720 of 2010

Giving direction etc as
stated within.