

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.12243 of 2016

and

W.M.P.No.10580 of 2016

Ambedkar Makkal Munnetra Sangam
represented by its President
Mr.C.Venkatesan,
Registration No.44/2010
Gowtham Nagar,
Kumbini Pettai Post,
Arakkonam Taluk,
Vellore District - 631 003. ... Petitioner

vs.

1.The District Collector,
Vellore District,
Vellore.

2.The Thasildar,
Arakkonam,
Vellore District.

3.The Block Development Officer,
Nemily Panchayat Union,
Vellore District.

4.V.Kumar,
Melapulam Contractor
C/o. Block Development Officer,
Nemili Panchayat Union,
Arakkonam, Vellore District. ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to implement the work order issued by the third respondent dated 26.12.2014 bearing Na.Ka.A2/2719/2014 by taking all necessary steps to the construction of the Anganwadi School at Survey No.186/6, Arundhathiyarpalayam, Kumbinipettai Village, Melpakkam Panchayat, Arakkonam Taluk, Vellore District.

For Petitioner : Mrs.C.S.Monica
for Mr.R.Gokulraj
For Respondents: Mr.J.Balagopal
Additional Government Pleader [R1 & R2]
Mr.S.Gunasekaran
Government Advocate [R3]

O R D E R

By consent, the main Writ Petition itself is taken up for final disposal. Heard Mrs.C.S.Monica, the learned counsel for the petitioner, Mr.J.Balagopal, the learned Additional Government Pleader for respondents 1 and 2 and Mr.S.Gunasekaran, the learned Government Advocate for the third respondent.

2. The petitioner has filed this writ petition to issue a writ of mandamus directing the respondents 1 and 2 herein to implement the work order issued by the third respondent dated 26.12.2014 bearing Na.Ka.A2/2719/2014 by taking all necessary steps to construct Anganwadi School at Survey No.186/6, Arundhathiyarpalayam, Kumbinipettai Village, Melpakkam Panchayat, Arakkonam Taluk, Vellore District.

3. In the light of the order this Court proposes to pass, notice to fourth respondent is dispensed with. The petitioner is an organization which seek for implementation of a work order issued in favour of the fourth respondent by the third respondent dated 26.12.2014 in respect of construction of Anganwadi School. Earlier, the petitioner approached this Court and filed W.P.No.3795 of 2011 praying for somewhat the same relief viz., a direction to the respondent to allot vacant land for construction of Anganwadi School by taking note of their representation and the proceedings of the Child Development Officer dated 01.02.2011. The said writ petition was disposed of by order dated 08.10.2012 by directing the District Collector, Vellore, to consider the representation given by the petitioner. The petitioner would state that even thereafter no appreciable steps were taken by the District Collector, Vellore and hence, they have filed the present writ petition.

4. The work order issued on 26.12.2014 states that it is for the financial year 2014-15. Admittedly, the financial year has been completed and the subsequent financial year viz., 2015-16 has also been completed on 31.03.2016. Therefore, at this juncture, the question of directing the respondents 1 to 3 to implement the work order dated 26.12.2014 pertaining to the financial year 2014-15 does not arise. Hence, the petitioner has to seek for a fresh relief from the authorities.

In the light of the above, this Writ Petition is disposed of granting liberty to the petitioner to submit a fresh representation to the first respondent setting out all facts and the first respondent, on receipt of such representation, shall dispose of the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Vellore District,
Vellore.
- 2.The Thasildar,
Arakkonam,
Vellore District.
- 3.The Block Development Officer,
Nemily Panchayat Union,
Vellore District.

+1cc to M/S.S.Gunasekaran, Advocate Sr.21233

W.P.No.12243 of 2016

ala(CO)
srg(20/04/2016)

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