

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.3596 of 2016

A.S.Kannadasan

... Petitioner

vs

1. The Block Development Officer  
(Panchayats), Vedaranyam  
Vedaranyam Taluk  
Nagapattinam District.
2. The Quality Control Officer  
Tamil Nadu Civil Supplies Corporation  
Vedaranyam  
Vedaranyam Taluk  
Nagapattinam District.
3. The Secretary  
Maruthur Primary Agriculture Co-operative  
Bank, Panchanathikulam East  
Vedaranyam Taluk  
Nagapattinam District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the second respondent to release the rice of 15,708 kgs for the work done in the Panchanathikulam Nadusethi Village Panchayat to the petitioner based on his representation dated 23.12.2015.

For Petitioner :Mr.V.Kasinatha Bharathi

For Respondents :Mr. RM. Muthukumar  
Government Advocate for R1  
Mr.S.V.Durai Solaimalai  
Additional Government Pleader  
for RR2 and 3

O R D E R

The prayer in the writ petition is to issue a Writ of Mandamus directing the second respondent to release the rice of

15,708 kgs for the work done in the Panchanathikulam Nadusethi Village Panchayat to the petitioner based on his representation dated 23.12.2015.

2. The case of the petitioner is that he is a Civil Contractor and is doing small contract works allotted by the Panchayats. According to the petitioner, during the year 2006-2007 he has done the following works in the Panchanathikulam Nadusethi Village Panchayat, viz.,

(i) The gravel laid at Perumaikone Kadu which leads to funeral place.

(ii) The road leads to funeral place at Aavudaikone Kadu.

(iii) The road leads to funeral place at Kanapathithevankadu,

for which, he was allotted 15,708 kgs of rice. It is the further contention of the petitioner that the first respondent has also forwarded a communication to the second respondent vide proceedings in Na.Ka.No.4956/2006 Aa3 dated 29.06.2007 directing him to allot the same to the petitioner and a copy of which was also communicated to the third respondent. Since no action was taken by the second respondent to release the rice, the petitioner submitted a representation to the first respondent 23.12.2015 and even for the same, there was no response. Hence the present writ petition.

3. Heard the learned counsel for the petitioner, Mr.RM.Muthukumar, learned Government Advocate appearing on behalf of the first respondent and Mr.S.V.Durai Solaimalai, learned Additional Government Pleader appearing on behalf of the respondents 2 and 3.

4. Considering the facts and circumstances of the case, the second respondent is directed to consider the representation dated 23.12.2015 submitted by the petitioner to the first respondent, in the light of the proceedings issued by the first respondent dated 29.06.2007 for releasing the rice to the petitioner for the contract work done by him and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed its opinion on the merits of the matter.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Block Development Officer  
(Panchayats), Vedaranyam  
Vedaranyam Taluk  
Nagapattinam District.
2. The Quality Control Officer  
Tamil Nadu Civil Supplies Corporation  
Vedaranyam  
Vedaranyam Taluk  
Nagapattinam District.

+1cc to Mr.V.Kasinatha Bharathi, Advocate, S.R.No.6442

W.P.No.3596 of 2016

vs (CO)  
srg(04/02/2016)

सत्यमेव जयते

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