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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :16.09.2016
CORAM
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN
W.P(MD)No.549 of 2015

G.Chokalingam

.. Petitioner

vs.

1.The Principal Secretary,
Public Works Department and
Water Source Department,
Secretariate, Chennai.

2.The District Collector
Collectorate,
Thanjavur.

3.The Chief Engineer,
O/o. Chief Engineer, Public Works Department
Chepauk, Chennai-5.

4.The Executive Engineer
Public Works Department and
Water source department
Cauvery delta sub division,
Kumbakonam, Thanjavur District

5.The Junior Engineer
Vadamattam Division Officer,
Public Works and water source Department
Vadamattam, Kumbakonam Taluk,
Thanjavur District

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus to direct the respondents 1,2 and 3 to conduct enquiry about the loss caused to the government in the fraudulent auction dt. 27.06.2013 conducted by the 5th respondents and thereby take necessary action against the 5th respondent based on the representation dated 26.08.2014.

For Petitioner : Mr.C.Padmaraj

For Respondents : Mr.M.Govindan

Special Government Pleader

ORDER

<https://hcservices.ecourts.gov.in/Order> of the Court was made by S.NAGAMUTHU, J.)

The petitioner has come up with this public interest litigation seeking a direction to the respondents 1 to 3 to



conduct an enquiry about the loss caused to the Government in the alleged fraudulent auction dated 27.06.2013 conducted by the 5th respondent.

2. We have heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents and we have also perused the records.

3. The learned Special Government Pleader would submit that auction was held on 27.06.2013 and the chapter was also over long before. At this length of time, in our considered view, the relief sought for cannot be granted. Further, the petitioner has not made out even a prima facie case of fraud in the matter of auction. For a mere asking, in our considered view, we cannot hold that there was fraud in the auction so as to grant the relief as prayed for in this petition. Therefore, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

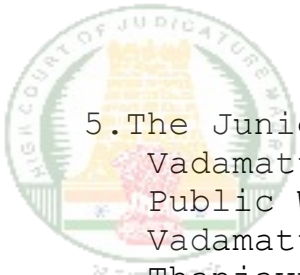
To

1. The Principal Secretary,
Public Works Department and
Water Source Department,
Secretariate, Chennai.

2. The District Collector
Collectorate,
Thanjavur.

3. The Chief Engineer,
O/o. Chief Engineer Public Works Department
Chepauk, Chennai - 5.

4. The Executive Engineer
Public Works Department and
Water source department
Cauvery delta sub division,
Kumbakonam, Thanjavur District



5.The Junior Engineer
Vadamattam Division Officer,
Public Works and water source Department
Vadamattam, Kumbakonam Taluk,
Thanjavur District

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+1cc to M/s.C.Padmaraj, Advocate SR.No.53038
+1cc to Special Government Pleader SR.No.53175

W.P. (MD) No.549 of 2015

16.09.2016

SD/CK/06.10.2016/3P/8C