

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P. No.22393 of 2018 and W.M.P. No.26237 of 2018

Thottiyapatti Ooratchi Semur Peria Eri
Neer Payanpaduthuvor Sangam
rep. by its President V.Chinnusamy

.. Petitioner

Vs

1. The District Collector,
Nammakal District, Namakkal.

2. The Executive Engineer,
Public works Department,
Water Resources Organisation,
Sarabanga Basin Division,
Namakkal District.

3. The Assistant Executive Engineer,
Public Works Department,
Water Resources Organisation,
Sarabanga Basin Sub-Division,
Rasipuram,
Namakkal District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to entrust the "Kudimarmath Works" to Semur Peria Eri which is situated in Survey No.215 of Akaraipatti Village Rasipuram Taluk Namakkal District in favour of the petitioner society by considering the representation of the petitioner society dated 01.06.2018 and 25.07.2018.

For Petitioner : Mr.S.Senthil

For Respondents: Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the respondents to entrust the "Kudimarmath Works" to Semur Peria Eri, situated at Akaraipatti Village Rasipuram Taluk Namakkal District in Survey No.215 in their favour by considering their representation dated 01.06.2018 and 25.07.2018.

3. According to the learned counsel for the petitioner, the petitioner's representation dated 01.06.2018 and followed by reminder dated 25.07.2018 be considered in accordance with law in the light of the G.O. Ms. No.12 Public Works (W1) Department dated 21.01.2017 which enables the petitioner to submit an application since it being the registered society.

4.Mr.V.Jayaprakash Narayanan, learned Special Government Pleader taking notice for the respondents, submitted that the respondents be directed to consider the petitioner's representations and pass orders in accordance with law in the light of the said G.O.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the petitioner's representation dated 01.06.2018 and followed by reminder dated 25.07.2018 in the light of the G.O. Ms. No.12 Public Works (W1) Department dated 21.01.2017 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of. Consequently, connected W.M.P. is closed. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

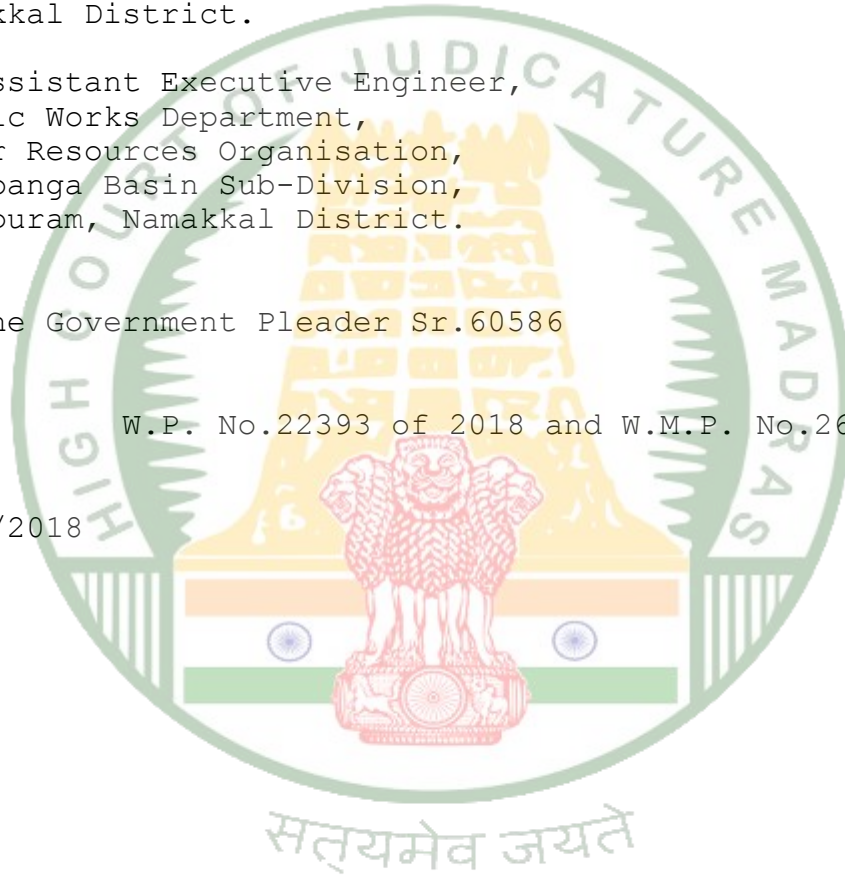
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To

1. The District Collector,
Nammakal District, Namakkal.
2. The Executive Engineer,
Public works Department,
Water Resources Organisation,
Sarabanga Basin Division,
Namakkal District.
3. The Assistant Executive Engineer,
Public Works Department,
Water Resources Organisation,
Sarabanga Basin Sub-Division,
Rasipuram, Namakkal District.

+1cc to the Government Pleader Sr.60586

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srg 11/09/2018



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