



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE V. PARTHIBAN

W.P. (MD) No.19186 of 2018

and

W.M.P. (MD) No.17023 of 2018

Veeramangalam Kanmai Pasana Vivasayigal Sangam,
represented by its President
C.Vellasamy.

... Petitioner

vs.

1. The State of Tamil Nadu,
represented by its Principal Secretary,
Public Works Department,
Secretariat, St.George Fort,
Chennai.
2. The Chief Engineer,
Public Works Department,
Chennai.
3. The District Collector,
Pudukkottai District,
Pudukkottai.
4. The Superintending Engineer,
Public Works Department, (Tanks)
Trichy.
5. The Executive Engineer,
Public Works Department (South Vellaru),
Pudukkottai.
6. The Assistant Engineer,
Public Works Department (South Vellaru),
Aranthangi,
Pudukkottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus to direct the respondents to allot Kudimaramathu work with respect to the Veeramangalam Tank, Veeramangalam Village, Aranthangi Taluk, Pudukkottai District in favour of the petitioner's representation dated 20.08.2018 within a stipulated period as fixed by this Court.



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For Petitioner : Mr.M.Ajmal Khan
Senior Counsel

for M/s Ajmal Associates
For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

O R D E R

The present writ petition has been filed to direct the respondents to allot Kudimaramathu work with respect to the Veeramangalam Tank, Veeramangalam Village, Aranthangi Taluk, Pudukkottai District in favour of the petitioner's representation dated 20.08.2018.

2. When the matter is taken up for hearing, the learned Additional Government Pleader produced a proceedings viz., a peace committee meeting dated 24.08.2018, in which it was decided to allot the subject work to the Association which has the highest members.

3. At this juncture, Mr.M.Ajmal Khan, learned Senior Counsel appearing for the petitioner would submit that according to the averments contained in the writ affidavit, the petitioner Association is having higher number of members and as per the decision taken in the peace committee meeting, the petitioner is entitled to be allotted the subject work.

4. In any event, it is up to the fifth respondent to take a call on the matter and allot the work on the basis of the highest number of membership enjoyed by any Association. In case the petitioner Association is able to demonstrate before the authority concerned of its membership strength as per the decision taken in the peace committee meeting, the allotment of the subject work may be allotted to the petitioner Association. A decision in this regard shall be taken by the fifth respondent within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-II)



To

1. The Principal Secretary,
The State of Tamil Nadu,
Public Works Department,
Secretariat, St.George Fort,
Chennai.
2. The Chief Engineer,
Public Works Department,
Chennai.
3. The District Collector,
Pudukkottai District,
Pudukkottai.
4. The Superintending Engineer,
Public Works Department, (Tanks)
Trichy.
5. The Executive Engineer,
Public Works Department (South Vellaru),
Pudukkottai.
6. The Assistant Engineer,
Public Works Department (South Vellaru),
Aranthangi,
Pudukkottai.

+ 1 CC TO M/s.AJMAL ASSOCIATES, IN SR No. 83924
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 84093

SSL

TE/RSK/SAR-2 : 28/09/2018 : 3P/9C

W.P. (MD) No.19186 of 2018
11.09.2018