



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.17262 of 2018

S.Karuppaiah

... Petitioner

Vs

1.The District Collector,
Ramanathapuram District.

2.The Executive Engineer,
Public Works Department,
Lower Vaigai Basin Division,
Paramakudi,
Ramanathapuram District.

3.The Assistant Executive Engineer,
Public Works Department,
Ramanathapuram,
Ramanathapuram District.

4.The Assistant Director of Agri/
PA to Collector (Agri)
Collectorate,
Ramanathapuram,
Ramanathapuram District.

5.B.Karuppaiah

R5 is impleaded vide Court order dated

09.11.2018 in W.M.P. (MD) No.16697 of 2018

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 20.07.2018 and thereby direct the first and second respondent to issue work order for the renovation work of Nariyanenthal Kanmoi situated at Nariyanenthal Village, Alamalenthal Group, Ramanathapuram District as per Kudimaramathu scheme.

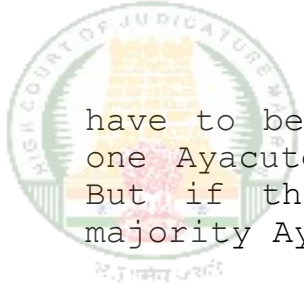
For Petitioner : Mr.R.Karthick Rajan

For R1 to R4 : Mr.M.Karuppasamy
Government Advocate

For R5 : Mr.G.R.Sathish

ORDER

Heard the learned counsel on either side.



have to be issued to the Ayacutdar association. If there is only one Ayacutdar association, then there will not be any difficulty. But if there are two associations, the one which commands the majority Ayacutdar will have to be given the work order.

3. In this case the Public Works Department is in a quandary because there are rival claims. The Public Works Department has filed a counter stating that they are willing to issue the work order to that association which commands the majority of the Ayacutdar's. It is only the Revenue Department, that will have to identify the particular association. In this case, there is a rival claim between the writ petitioner and the fifth respondent.

4. Therefore, this Court directs the first respondent to nominate an appropriate officer from the Revenue Department to decide which association commands the majority. The exercise of identifying which association commands majority of the Ayacutdar as its members, will be done in a transparent manner. Based on the identification made by the Revenue Department, the work order will be issued. The entire exercise will be completed within a period of three months from the date of receipt of a copy of this order. I am of the view that this exercise should not be difficult because there is already a list of registered Ayacutdar.

5. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (Crl. Side)

/TRUE COPY/

Sub Assistant Registrar (CS)

To

1. The District Collector,
Ramanathapuram District.
2. The Executive Engineer,
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4. The Assistant Director of Agri/
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+1 CC to M/s.G.R.SATISH, Advocate (SR-58507[F] dated 03/04/2019)

+1 CC to M/s.SPL GP (SR-58563[F] dated 03/04/2019)

+1 CC to M/s.R.KARTHICRAJAN, Advocate (SR-59099[F] dated 04/04/2019)

W.P. (MD) No.17262 of 2018
02.04.2019

SP:06/05/2019/3P/8C