



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :10.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

**WP(MD)No.2751 of 2016
and
WMP(MD)Nos.2430 and 5050 of 2016
and
4707 of 2019**

A.Ganesan

... Petitioner

Vs.

1. The Principal Secretary to Government,
Personnel and Administrative Reforms Department,
Government of Tamil Nadu,
Secretariat, Fort St George,
Chennai - 9.

2. The Executive Engineer (PWD, WRO),
Irukankudi Reservoir Project Division,
PWD Office Compound,
Virudhunagar,
Virudhunagar District.

3. The Executive Engineer, (PWD)
Building Construction and
Maintenance Division, WGC Road,
Tuticorin - 628 001.

4. The Principal Accountant General,
Economic and Revenue Sector Audit,
Tamil Nadu, No.361, Anna Salai,
Chennai - 18.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari Mandamus, calling for the records of the respondents relating to the order of the 2nd respondent in his impugned proceedings Letter No.E1/166/2015/(881)/dated 26.08.2015 and quash the same and further direct the respondents to take steps to drop or delete the relevant Audit Para 7/II B, . 2010-11 of the 4th respondent regarding Building (C and M) Division, Thoothukudi.

For Petitioner	: Mr.S.Natarajan
For Respondent	: Mr.V.Anand,
Nos.1 to 3	Government Advocate
For Respondent	: Mr.P.Gunasekaran
No.4	

**ORDER**

This writ petition has been filed seeking to quash the impugned proceedings in Letter No.E1/166/2015/(881) dated 26.08.2015 issued by the 2nd respondent and consequently, to direct the respondents to take steps to drop or delete the relevant Audit Para 7/II B, 2010-11 of the 4th respondent regarding Building (C and M) Division, Thoothukudi.

2.When the matter was taken up for hearing, the learned Counsel appearing for the petitioner and the learned Counsel appearing for the respective respondents submitted that subsequent to the filing of this writ petition, the Government has issued a communication in letter No.21508/PC-II/2017, dated 09.06.2017, which followed by a clarificatory letter in Letter No.7831/A2/2017-3, dated 03.04.2018. Hence, the matter may be remitted back to the respondents for reconsidering the case of petitioner, in the light of the letters cited supra.

3.In view of the above submissions made by the learned Counsel on either side, the impugned order dated 26.08.2015 is set aside and the matter is remitted back to the respondents for reconsidering the same in the light of the letters cited above and pass orders on merits and in accordance with law, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

4.With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

sd/
Assistant Registrar(crl. side)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Personnel and Administrative Reforms Department,
Government of Tamil Nadu,
Secretariat, Fort St George,
Chennai - 9.
2. The Executive Engineer (PWD, WRO),
Irukankudi Reservoir Project Division,
PWD Office Compound,
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Virudhunagar District.



3. The Executive Engineer, (PWD)
Building Construction and
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4. The Principal Accountant General,
Economic and Revenue Sector Audit,
Tamil Nadu, No.361, Anna Salai,
Chennai - 18.

+1 CC to Mr.S.NATARAJAN, Advocate (SR-60420[F] dated 11/04/2019)
+1 CC to Mr.P.GUNASEKARAN, Advocate (SR-60693[F] dated 12/04/2019)
+1 CC to SPL GP (SR-60774[F] dated 12/04/2019)

WP (MD) No.2751 of 2016
10.04.2019

dsk

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