



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.10.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **M.GOVINDARAJ**

W.P. (MD)No.20652 of 2019

and

W.M.P. (MD)No.17275 of 2019

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Sri Muthusamban Mooriyur Kanmai
Maramathu Sangam,
Rep. by its President,
Duraikkannu

: Petitioner

Vs.

- 1.The Principal Secretary,
Public Works Department,
Secretariat,
Fort St. George,
Chennai.
- 2.The Chief Engineer,
Public Works Department,
Construction and Maintenance,
Chepauk, Chennai-600 005.
- 3.The District Collector,
Collectorate,
Pudukkottai and District.
- 4.The Executive Engineer,
Public Works Department,
(South Vellaru),
Water Resource Organization (WRO),
Pudukkottai and District.
- 5.The Assistant Executive Engineer,
Public Works Department,
Water Resource Organization (WRO),
Construction and Maintenance,
Aranthangi,
Pudukkottai District.
- 6.The Tahsildar,
Avudaiyar Kovil,
Pudukkottai District.
- 7.Thunjanoor Group,
Mooriyur Ayakattudhars Pasana Sangam,
Thunjanoor,
Avudaiyiarkovil Taluk,
Pudukkottai District.

: Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to verify the eligibility of the members of the association formed by the seventh respondent namely Thunjanoor Group, Mooriyur Ayakattudhars Pasana Sangam, Thunjanoor, Avudaiyarkovil Taluk, Pudukkottai District along with the petitioner's association and only thereafter, entrust the work of Kudimaramath work at Mooriyur Kanmai in Thunjanoor Revenue Village of Avudaiyar Kovil Taluk, Pudukkottai District to the petitioner's association namely "Sri Muthusamban Mooriyur Kanmai Maramarathu Paramamarippu Sangam" in Mooriyur Kanmai in Thunjanoor Revenue Village of Avudaiyar Kovil Taluk, Pudukkottai District as per the directives issued in the Government Order in G.O.Ms.No.58, Public Works Department, dated 13.06.2019, within the time stipulated by this Court.

For Petitioner : Mr.K.Baalasundharam
For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader

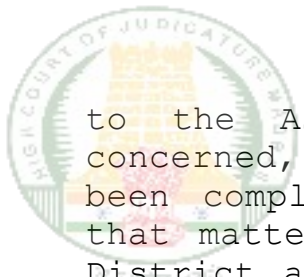
ORDER

The petitioner is an Association of Ayacutdhars in respect of Mooriyur Kanmai of Thunjanoor Revenue Village, Avudaiyar Kovil Taluk, Pudukkottai District. The Ayacutdhars of that Mooriyur Kanmai formed an Association called "Sri Muthusamban Mooriyur Kanmai Maramathu Sangam". The petitioner's Association has major support of the Ayacudhars. Whereas, the official respondents have issued the work order in favour of the seventh respondent/Thunjanur Group Mooriyur Ayakattuthararkal Pasana Sangam. The said seventh respondent Sangam does not have enough number of Ayacutdhars. The official respondents, only with a view to favour the seventh respondent, have given the work order in their favour. Aggrieved over the same, the petitioner is before this Court.

2. Heard the submissions of both sides.

3. This Court cannot touch upon the factual aspects of membership and that who is having more members and who is entitled to get recognition from the respondents 1 to 6.

4. Therefore, I direct the sixth respondent/Tahsildar, Avudaiyar Kovil, Pudukkottai District, to call for the production of appropriate documents to verify the land ownership as well as membership of the Association of the Ayacutdhars and to declare the major Association, which is entitled to do maintenance work. This exercise shall be repeated whenever the work order is given



to the Associations. Insofar as the present work order is concerned, it is given to the seventh respondent and the work has been completed and, therefore, this Court cannot interfere in that matter. But, in future, the District Collector, Pudukkottai District as well as the Tahsildar, Avudaiyar Kovil, Pudukkottai District, shall follow the said procedure before allotting the work orders.

5. The Writ Petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar (CS)

SML

To

- 1.The Principal Secretary,
Public Works Department,
Secretariat,
Fort St. George,
Chennai.
- 2.The Chief Engineer,
Public Works Department,
Construction and Maintenance,
Chepauk, Chennai-600 005.
- 3.The District Collector,
Collectorate,
Pudukkottai and District.
- 4.The Executive Engineer,
Public Works Department,
(South Vellaru),
Water Resource Organization (WRO),
Pudukkottai and District.
- 5.The Assistant Executive Engineer,
Public Works Department,
Water Resource Organization (WRO),
Construction and Maintenance,
Aranthangi,
Pudukkottai District.



6.The Tahsildar,
Avudaiyar Kovil,
Pudukkottai District.

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+1 CC to M/s.K.BAALASUNDHARAM, Advocate (SR-94388[F] dated
24/10/2019)

+1 CC to M/s.SPL GP (SR-94233[F] dated 24/10/2019)

Order made in
W.P. (MD)No.20652 of 2019
Dated: 22.10.2019

KM/(05.11.2019) 4P 9C