



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.09.2019

CORAM :

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. (MD)No.20198 of 2019

Karungulam Kanmai Thoorvaruthal Aalapaduthuthal
Matrum Kudi Maramathu Panigal Sangam,
represented by its President,
L.Dhanasekaran,
S/o.Lakshmanan,
1/300, Karungulam,Kadaladi Taluk,
Ramanathapuram District.

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Deputy Superintendent of Police,
Mudukulathur,
Ramanathapuram District.

3.The Inspector of Police,
Kadaladi Police Station,
Kadaladi,
Ramanathapuram District.

4.Govindaraj

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 herein to adequate police protection to the petitioner's Sangam viz., Karungulam Kanmai Thoorvaruthal Aalapaduthuthal Matrum Kudi Maramathu Panigal Sangam to complete the renovation work in respect of Karungulam Kanmai on the strength of the Agreement No.05/SE/VBC/2019-2020 entered by the petitioner Sangam with the Superintendence Engineer, PWD/WRO, Vaipparu Basin Circle, Virudhunagar by considering the petitioner's representation dated 10.09.2019.

For Petitioner : Mr.B.Anandan

For R1 to R3 : Mr.R.Anandharaj

Additional Public Prosecutor

For R4

: Mr.K.Neethimohan

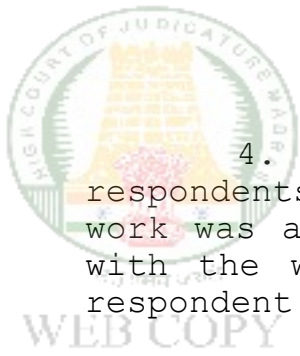


O R D E R

This petition has been filed to quash the impugned order dated 08.08.2019 in Na.Ka.No.267/B1 PS/2 and direct the respondents 1 to 3 herein to give adequate police protection to the petitioner's Sangam viz., Karungulam Kanmai Thoorvaruthal Aalapaduthuthal Matrum Kudi Maramathu Panigal Sangam to complete the renovation work in respect of Karungulam Kanmai on the strength of the Agreement No.05/SE/VBC/2019-2020 entered by the petitioner Sangam with the Superintendence Engineer, PWD/WRO, Vaipparu Basin Circle, Virudhunagar by considering the petitioner's representation dated 10.09.2019.

2. The learned counsel for the petitioner would submit that the petitioner was selected as a Village Panchayat Board President for the past 3 consequential period. He along with other general public have formed the Sangam to protect the water bodies in the name of Karungulam Kanmai Thoorvaruthal Aalapaduthuthal Matrum Kudi Maramathu Panigal Sangam. It is also registered under the Tamil Nadu Societies Registration Act, 1975 and the Registration Number is 135/2019. The said Sangam is consisting more than 150 members and all are pattadars and also the beneficiaries in respect of Karungulam Kanmai. Infact, all pattadars and the father of the petitioner are Ayacutdars of the said Kanmai. The petitioner's Sangam approached the revenue authorities and also the Public Works Department with regard to strengthening of tank bund and renovation works of Karungulam Kanmai. After inspection by the Public Work Department Officers, the claim of the petitioner has been accepted by them for the restoration and renovation of Karungulam Village tank. The Public Work Department has sanctioned a sum of Rs.33.60 Lakhs. As per the Government order, the petitioner's Sangam has approached the Public Work Department to allot the said work to the said Sangam. After considering the Sangam certificates and other particulars, the Public Work Department officials allotted the said work to the petitioner's Sangam. Accordingly, the petitioner's Sangam have commenced their work at Karungulam Kanmai for renovation. At this juncture, the fourth respondent along with his henchmen entered into the said Kanmai and abused all the workmen and obstructed the entire work. They also caused damage to the vehicle and other equipment. Therefore, the petitioner approached the third respondent for police protection and the same is pending for consideration. Therefore, he sought for adequate police protection to carry out the work in Karungulam Kanmai, which was allotted in favour of the petitioner by the Public Work Department.

3. Per contra, the learned counsel for the fourth respondent would submit that originally the said work was allotted to him and subsequently with influence of other person, the work was allotted to the petitioner. Therefore, he vehemently opposed to give adequate police protection to the petitioner.



4. The Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that after verification, the said work was allotted to the petitioner Sangam and when they proceeded with the work allotted by the Public Work Department, the fourth respondent disturbed their work process.

5. Heard, Mr.B.Anandan, learned counsel appearing for the petitioner, Mr.R.Anandharaj, learned Additional Public Prosecutor appearing for the respondents and the learned counsel appearing for the fourth respondent.

6. The petitioner's Sangam has been allotted to restoration and renovation of Karungulam Village tank situated at Karungulam Village, Kadaladi Taluk, Ramanathapuram District. On the request made by the petitioner, the Public Work Department allotted the work contract to the petitioner and sanctioned a sum of Rs.33.60 Lakhs, as per the guidelines of the Government Order in G.O.Ms.No.58 dated 13.06.2019. The petitioner also entered into an agreement with the Superintending Engineer, PWD/WRO, Vaipparu Basin Circle, Virudhunagar. As per the agreement, the work should be completed on or before 31.03.2020 from the date of commencement of that agreement. So, admittedly, no work order was allotted or awarded in favour of the fourth respondent. The fourth respondent is being the same villager, he obstructed and objected the renovation work in the Karungulam Kanmai.

7. According to the agreement, the petitioner has to complete the work on or before 31.03.2020. Considering the above facts and circumstances, the third respondent is directed to consider the request of the petitioner and provide adequate police protection to the petitioner's Sangam viz., Karungulam Kanmai Thoorvaruthal Aalapaduthuthal Matrum Kudi Maramathu Panigal Sangam, forthwith.

8. Accordingly, the Writ Petition is allowed. No costs.

Sd/-

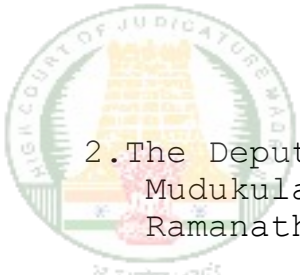
Assistant Registrar (co)

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Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.



2.The Deputy Superintendent of Police,
Mudukulathur,
Ramanathapuram District.

3.The Inspector of Police,
Kadaladi Police Station,
Kadaladi,
Ramanathapuram District.

+1 CC to Mr.B. ANANDAN, Advocate (SR-90499[F] dated 30/09/2019)

W.P. (MD) No.20198 of 2019
30.09.2019

dss

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