

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.27315 of 2012
and M.P.Nos.1 and 2 of 2012

A.Navagandan

...

Petitioner

--Vs--

1. The District Collector,
Villupuram District,
Villupuram.

2. The Superintending Engineer,
Water Resources Organisation,
PWD Lower Penniyar Basin Circle,
Tiruvannamalai.

3. The Assistant Executive Engineer,
Lower Penniyar Basin Circle,
Sub Division,
Tiruvannamalai.

4. V.N.Varadharajan

...

Respondents

Prayer: Writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to take appropriate action on the representations submitted by the petitioner on 18.04.2012, 09.05.2012 and on 21.05.2012 about the irregularities committed in the matter of construction of the lake bund, lake shutter and the Kalangal in Vanniyar Lake, Tindivanam Taluk, Villupuram District.

For Petitioner : Mr.Mr.M.Gnanasekar

For Respondents : Mr.R.Selvam
1 to 3 Government Advocate

For Respondent-4 : Dr.G.Krishnamoorthy

O R D E R

The petitioner has filed the above Writ Petition seeking to issue a Writ of mandamus to direct the first respondent to

take appropriate action on the representations submitted by the petitioner on 18.04.2012, 09.05.2012 and on 21.05.2012 about the irregularities committed in construction of the lake bund, lake shutter and the Kalangal in Vanniyar Lake, Tindivanam Taluk, Villupuram District.

2. According to the petitioner, he is the President of Vanniper Village, having been elected on 29.08.2009 in the election conducted by the Revenue Divisional Officer, Villupuram. The grievance of the petitioner relates to work of construction of the lake bund, lake shutter and excess water let out (Kalangal). The petitioner has submitted a representation on 09.05.2012 to the respondents stating that while constructing the shutter in Vanniper lake, the Contractors have used the used stones and also constructed the water let out kalangal by using the used stones. It is further stated that the Contractor had found the level of the Kalangal in order to save his lands. However, on a representation of other villagers, a ring bund was put up, which was also removed recently, which will affect the water storing capacity of the lake. The Officers of the Public Works Department had miserably failed to supervise the work carried on by the Contractor in the lake. It is also stated that even before the construction activities were started, bills were passed for payment. In spite of requests made by the petitioner to furnish the work schedule and estimate, the same has not been furnished to him. Hence, another representation was also made to the first respondent on 21.05.2012 to take action against the persons, who are responsible for poor construction of the lake shutter and the Kalangal. However, the same was not considered by the respondents. Hence, the petitioner is before this Court.

3. Upon notice, the third respondent, Assistant Executive Engineer WRD, Lower Pennaiyur Basin Sub Division, Villupuram has filed his counter affidavit. In paragraph 11 of the counter, it is stated that the petition dated 21.05.2012 sent by the Writ Petitioner was received by the Executive Engineer and a reply was sent to the petitioner and also to the Chief Minister's Special Cell on 24.05.2012 and 22.06.2012. The Writ Petition is filed in the year 2012 and there are no new allegations about the work and technical Officers. Further, it is stated that the entire work was already over and the bills payments, etc., were also made. It is also pointed out that there are no complaints, but there were only general criticisms and defects in the work executed by the fourth respondent and the technical Officers.

4. Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the respondents 1 to 3 and the learned counsel for the fourth respondent.

5. As already the request of the petitioner has been dealt with and the reply was given on 22.06.2012, a copy of which was also sent to the petitioner, no direction need to be passed in this petition. Accordingly, the Writ Petition is disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (MD-OD)

//True Copy//

Sub Assistant Registrar

srn

To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Superintending Engineer,
Water Resources Organisation,
PWD Lower Penniyar Basin Circle,
Tiruvannamalai.
3. The Assistant Executive Engineer,
Lower Penniyar Basin Circle,
Sub Division,
Tiruvannamalai.

+1cc to the Government Pleader SR.22182,22172

W.P.No.27315 of 2012

CP (CO)
CB (27/05/2020)

सत्यमेव जयते
WEB COPY