

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10632 of 2020

and

WMP No.12919 of 2020

Puliyankurichi Ayucut Pasana Sangam,
Regd. No.SRG/Salem East/49/2020,
rep. by its President
R.Rajendran, S/o Ramasamudayar
Puliyankurichi Post, Gangavalli Taluk,
Salem District. Petitioner

-Vs-

1. The District Collector,
Salem District, Salem.
2. The Executive Engineer,
Public Works Department,
Water Resources,
Salem, Salem District.
3. The Assistant Executive Engineer,
Public Works Department,
Thalaivasal Circle, Salem East,
Salem District.
4. Puliyankurichi Yeri Pasana,
Vivasayigal Nala Sangam,
Regd. No.SRG/Salem East/32/2020,
Rep. by its President,
P.Ramanathan, S/o Palanimuthu,
No.1/199-A, Kizhakkadu,
Puliyankurichi Post,
Gangavalli Taluk, Salem District. ... Respondents

Prayer : Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus to
direct the respondents 1 to 3 to consider the representation of

the petitioner Sangam dated 30.06.2020 submitted to second respondent in person in accordance with law.

For Petitioner : Mr.K.Shakespeare

For Respondents : Mr.D.Suriyanarayanan,
Additional Government Pleader
for R1 to R3

Mrs.R.Hemalatha
for Mr.C.Prakasam for R4.

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. This Writ Petition is filed for a Mandamus to direct the respondents 1 to 3 to consider the representation of the petitioner Sangam dated 30.06.2020 submitted to second respondent in person in accordance with law.

3. According to the petitioner, the petitioner-Sangam, which is having 37 persons as its members is entitled to get Kudimaramath work at Puliyanakurichi Yeri, Salem District and on the other hand, the 4th respondent herein approached this Court and filed a writ petition in W.P.No.8779/2020 and obtained an order for considering their representation to do the said Kudimaramath work. Therefore, the present writ petition is filed with the relief as stated supra.

4. It appears that both the petitioner as well as the 4th respondent are claiming right to do the Kudumaramath work in the said lake. Who is entitled to get such work, is for the 1st respondent/District Collector to consider and decide and therefore, this Court, at this stage, is not expressing any view on the merits of the claim made by both parties.

5. It is stated by the learned counsel appearing for the 4th respondent that in pursuant to the earlier order passed in W.P.No.8779/2020, orders have not been passed so far by the authorities and the matter is still pending.

6. Considering the above stated facts and circumstances, this Writ Petition is disposed of by directing the 1st respondent to consider the claim of the petitioner as well as the 4th respondent and pass orders on merits and in accordance

with law after giving them due opportunity of personal hearing. Such exercise shall be done by the 1st respondent within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District collector,
Salem District, Salem.
2. The Executive Engineer,
Public Works Department,
Water Resources, Salem, Salem District.
3. The Assistant Executive Engineer,
Public Works Department,
Thalaivasal Circle, Salem East, Salem District.

+1cc to Mr.K.Shakespeare, Advocate, Sr.No.29734

+1cc to the Government Pleader, Sr.No.29711

W.P.No.10632 of 2020

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