

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.Nos.11842 & 11845 of 2020

Sholamadevi Pazhaya Vaikal
Pasana Vivasayigal Nala Sangam,
Rep. by its President Mr.M.Y.Kadher Mohemmed,
S/o.Mohemmad Yahub,
No.2/42, Pallivasal Street,
Sholamadevi Village,
Madathukulam Taluk,
Tiruppur District.

.. Petitioner in
W.P.No.11842 of 2020

Kadathur Pazhaya Vaikal
Garam Neerina! Payanpaduthuvor Sangam,
Rep. by its President Mr.K.K.Jayapandiyan,
S/o.KT. Kallappan,
D.No.167, Bharathidasan Street,
Kadathur Village,
Madathukulam Taluk,
Tiruppur District.

.. Petitioner in
W.P.No.11845 of 2020

Vs.

1. The District Collector,
Tiruppur District.

2. The Executive Engineer,
Public Works Department,
Dharapuram.

3. The Assistant Executive Engineer,
Public Works Department,
Amaravathy Irrigation Zone - 3,
Amaravathy Nagar,
Tiruppur District.

. Respondent Nos.1 to 3
in both W.Ps.

4. Solamadevi Rajavaikal Pasana Vivasayigal
Sangam rep. by its President,
R.Babu @ Shagul Hameed,
Solamadevi Medu, Vedapatti,
Madathukulam Taluk,
Tiruppur District.

.. Respondent No.4 in
W.P.No.11842 of 2020

4. Kadathur Aranmanai Vaaikal Pasana
Vivasayigal Nala Sangam rep. by its
President K.N.Sellamuthu,
S/o.Natrayan,
No.637, North Street, Kadathur Post,
Madathukulam Taluk,
Tiruppur District.

.. Respondent No.4 in
W.P.No.11845 of 2020

PRAYER in both W.Ps.: Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioners' representation dated 25.05.2020 and 26.06.2020, respectively, on merits within a time frame as fixed by this Court.

For Petitioner in both W.Ps. : Mr.D.R.Arun Kumar
For RR1 to 3 in both W.Ps. : Mr.V.Shanmugasundar
Special Government Pleader
For R4 in both W.Ps. : Mr.S.Gunalan

C O M M O N O R D E R

The prayer sought for in these Writ Petitions is for issuance of a Writ of Mandamus, directing the first respondent to consider and pass orders on the representation of the petitioners dated 25.05.2020 and 26.06.2020.

2. The case of the petitioner is that, the petitioners-Sangam was formed out of the majority of the interest of the farmers to administrate as well as to do the Kudimaramath work. The fourth respondent-Sangam, which did not even possess a single bit of land in their area, is restrained the official respondents to hand over the work to their Sangam though they have no support of farmers. Hence, representations were given by the petitioners to the second respondent along with 501 Chittas. Even after proving majority, the first respondent did not take any steps to declare the petitioner's majority. Hence, another representation dated 25.05.2020 and 26.06.2020, respectively were given by the petitioners to the first respondent. But till date there was no response, hence, a mandamus is sought for.

3. Heard both sides and perused the materials available on record.

4. Hence, considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider petitioners' representations dated 25.05.2020 and 26.06.2020 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioners, as well as the fourth respondent herein and any other persons interested in this regard by affording them an opportunity of personal hearing

and recording their objections if any, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, these writ petitions stand disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Tiruppur District.
2. The Executive Engineer,
Public Works Department,
Dharapuram.
3. The Assistant Executive Engineer,
Public Works Department,
Amaravathy Irrigation Zone - 3,
Amaravathy Nagar,
Tiruppur District.

+1 cc to Mr.D.R.Arunkumar, Advocate,sr.32768

+1 cc to Government Pleader,sr.32893.

Rr(co)
krd 2/11

W.P.Nos.11842 & 11845 of 2020

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