



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2020

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THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD)No.10198 of 2020
(Through Video conferencing)

G.Prathap

... Petitione

-Vs-

1.The District Collector
Thirunelveli District.

2.The Block Development Officer
Radhapuram Union
Radhapuram
Tirunelveli District.

3.The Commissioner
Radhapuram Union
Radhapuram
Tirunelveli District.

4.The Executive Engineer
Radhapuram Union
Valliyur
Tirunelveli District.

5.The Assistant Engineer
Radhapuram Union
Valliyur
Tirunelveli District.

6.V.Thiruselvan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Mandamus, directing the respondents 1 to 5 to consider the petitioner representation dated 03.07.2020 to inspect the quality of the overhead storage water tank constructed by the 6th respondent situated in Tirunelveli District, Radhapuram Union, Mudhumothanmozhi Village, Sokkalingapuram and consequently directing the respondents to reconstruct the overhead water storage tank with quality materials.



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For Petitioner : Mr.B.Vinothkumar
For Respondents : Mr.K.P.Krishnadoss
Spl. Govt. Pleader for R1, R3 to R5
Mr.B.Bagavathi
Government Advocate for R2

ORDER

[Order of the Court was made by **M.SATHYANARAYANAN, J.**]

This writ petition styled as a Public Interest Litigation is filed by the residents of Muthumozhanmozhi Post, Tirunelveli District, who claim to be the agriculturists and make a complaint as to the quality of the overhead storage water tank put up by the 6th respondent by way of completion of the work order allotted to the 6th respondent, dated 18.02.2019, vide proceedings A2/256/2018.

2. The learned counsel appearing for the petitioner would submit that the construction of the overhead storage water tank was completed within a short span of time and hence, the overhead storage tank put up by the sixth respondent had developed cracks and therefore, some fraud has been played with the connivance of the some officials. The petitioner, in this regard, has also submitted representations dated 31.07.2020 and 03.07.2020 to the concerned respondents and despite receipt and acknowledgment, nothing is taking place and therefore, the petitioner is constrained to approach this Court by filing this writ petition.

3. Heard the submission of Mr.K.P.Krishnadoss, learned Special Government Pleader, who accepts notice on behalf of respondents 1, 3, 4 and 5 and Mr.B.Bagavathi, learned Government Advocate, who accepts notice on behalf of the second respondent.

4. This Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in his representation or in this writ petition, permits the petitioner to submit a detailed representation along with supporting and relevant documents and photographs to the third respondent within a period of three weeks from the date of receipt of a copy of this order, who upon receipt of the same, shall put the 6th respondent on notice and thereafter, consider and dispose of the said representation on merits and in accordance with law, within a further period of six weeks thereafter and communicate the decision taken, to the petitioner as well as to the 6th respondent.



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5. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector
Thirunelveli District.
- 2.The Block Development Officer
Radhapuram Union,Radhapuram,
Tirunelveli District.
- 3.The Commissioner
Radhapuram Union,Radhapuram
Tirunelveli District.
- 4.The Executive Engineer
Radhapuram Union,Valliyur
Tirunelveli District.
- 5.The Assistant Engineer
Radhapuram Union,Valliyur
Tirunelveli District.

+1 CC to M/s.GP (SR-15283[F] dated 28/08/2020)

Order made in

W.P. (MD)No.10198 of 2020

27.08.2020

AP(09/09/2020) 3P 7C