



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2021

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.13592 of 2021

I.K.Ramalingam

..Petitioner

Vs.

1. The Secretary to Government of Tamilnadu,
Rural Development and Local Administration,
Fort St. George,
Chennai-9

2. The Director of Town Panchayat,
MRC Nagar,
Raja Annamalai Puram,
Santhome, Chennai-600 028.

3. The Assistant Director of Town Panchayat,
Salem Region,
Salem Collector Office,
Salem-7.

4. The Executive Officer,
Tharamangalam Town Panchayat,
Tharamangalam,
Salem District.

..Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus, forbearing the fourth respondent from laying Thar road on the street situated at Ward nos.3, 6 & 7, Tharamangalam Selection Grade Town Panchayat, Omalur Taluk, Salem District without laying pipe lines in the Ward nos.1, 2, 3, 4, 5, 8, 14, 15 and 18 of the Tharamangalam Selection Grade Town Panchayat, Omalur Taluk, Salem District.

For Petitioner : Mr.V.Elangovan for
Mr.M.P.Rajavelayutham

For Respondents: Mr.A.Selvendran, GA



ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus to forbear the fourth respondent from laying Thar road on the street situated at Ward nos.3, 6 & 7, Tharamangalam Selection Grade Town Panchayat, Omalur Taluk, Salem District without laying pipe lines in the Ward nos.1, 2, 3, 4, 5, 8, 14, 15 and 18 of the Tharamangalam Selection Grade Town Panchayat, Omalur Taluk, Salem District.

2.The case of the petitioner is that in the year 2014, the fourth respondent passed a resolution for laying drinking water pipelines in certain Wards in Tharamangalam Selection Grade Town Panchayat, Omalur Taluk, Salem District. Insofar as the resolution has been passed, as early as on 14.09.2015, a tender notification was issued and also funds were sanctioned for the aforesaid work, but no work has been done by the fourth respondent for laying drinking water pipelines. While that being so, the fourth respondent issued a tender notification again on 07.11.2020 calling for applications for laying Thar Road in ward nos.3, 6 and 7. The grievance of the petitioner is that based on the resolution passed by the Panchayat, the fourth respondent, instead of laying drinking water pipelines, he called for tenders for laying Thar Road in certain Wards. The grievance of the petitioner is that after completion of the Thar Road, laying drinking water pipelines on the said Thar Road will completely damage the entire Thar Road. Hence, the petitioner made a representation to the 2nd and the 3rd respondents on 15.02.2021 and a copy of the said representation has been forwarded to the fourth respondent herein along with particulars. However, since no action has been fourth coming, the present Writ Petition has been filed by the petitioner before this Court.

3.Heard both sides.

4. In view of the above facts and circumstances and submissions made by the learned counsel on either side and also in view of the limited prayer sought for by the petitioner, the fourth respondent is directed to consider the representation of the petitioner dated 15.02.2021 on merits and in accordance with law as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order.



WEB COPY

5. Accordingly, the Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

dn
To

1. The Secretary to Government of Tamilnadu,
Rural Development and Local Administration,
Fort St. George,
Chennai-9
2. The Director of Town Panchayat,
MRC Nagar,
Raja Annamalai Puram,
Santhome, Chennai-600 028.
3. The Assistant Director of Town Panchayat,
Salem Region,
Salem Collector Office,
Salem-7.
4. The Executive Officer,
Tharamangalam Town Panchayat,
Tharamangalam,
Salem District.

+1 CC to Mr. S. Doraisamy, Advocate Sr 30696.
+1 CC to The Government Pleader, Sr 30828.

W.P.No.13592 of 2021

PCH(CO)
SP(15/07/2021)