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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9759 of 2016
and W.M.P.No.8751 of 2016

M/s.Sri Lakshmi Constructions & Suppliers,
Represented by its Partner S.R.Muthukumar,
S/o.S.T.Rajagopal,
No.9/243,Thambi Annan Street,
Pudusamballi, Raman Nagar Post,
Metur Taluk, Salem District-636 403.

...Petitioner

Vs

1.The District Collector,
Salem District, Salem.

2.The Block Development Officer,
Mecherry, Metur Taluk,
Salem District.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to provide funds to the petitioner for the construction of the fair price shop as per the work order dated 28.08.2014 in Na.Ka.No.1206/2014/A2 issued by the second respondent and to complete the same with in a stipulated time and to pay the amount for the work executed by the petitioner company.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.C.Kathiravan
Government Advocate

O R D E R

The relief sought for in the present Writ Petition is to direct the respondents to provide funds to the petitioner for construction of the Fair Price Shop as per the work order dated 28.08.2014, issued by the second respondent and to complete the same.

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2. The relief as such sought for in the present writ petition is observed. No such relief can be entertained by the High Court in a writ proceedings, as allotment of funds is to be made with reference to the financial regulations, to be issued by the Government for execution of the Civil Works. If at all, any dispute arises, the petitioner has to approach the Competent Forum for the purpose of redressal of his grievances. Contrarily, High Court cannot conduct such a roving enquiry in respect of the reasons for non allocation of funds or otherwise and the scope of the writ proceedings cannot be expanded for the purpose of such elaborate adjudication. Thus, the petitioner is at liberty to approach the Competent Authority for the purpose of redressal of his grievances in the manner known to law.

3. With these observations, the writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nti/pns

To

1.The District Collector,
Salem District, Salem.

2.The Block Development Officer,
Mecherry, Metur Taluk,
Salem District.

+1cc to M/s.C.Prabakaran, Advocate Sr No.47957
+1cc to the Government Pleader Sr No.48573

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RP (CO)
PR (18/10/2021)

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