



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.6340 of 2019

and

WMP.No.15852 of 2021

M.Ranganathan (Deceased)

2.R.Jeevananth

3.R.Malarkodi

4.R.Sivaranjani

5.M.Chinnapillai

... Petitioners

(P2 to P5 impleaded by this Court vide order dated 14.02.2022 in WMP.No.15852 of 2021 in WP.No.6340 of 2019)

Vs

1. The Secretary,
Tiruppur Sports Organisation
36.K.P.N. Colony, 1st Street,
Tiruppur.

2. The District Sports Officer,
SDAT, Chikkannan Arts College,
College Road, Tiruppur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, Directing the 1st respondent to make payment of Rs.25 Lakhs to the petitioner in the light of order in W.P. No. 12208 of 2006 passed by the High Court dated 26.07.2011 within a stipulated time frame.

For Petitioners : Mr.G.Muthurasu

For R1 : Mr.P.R.Balasubramanian

For R2 : Mr.S.Santhosh Kumar



O R D E R

WMP.No.15852 of 2021 is ordered.

2.Heard Mr.Mutharasu, learned counsel appearing for the petitioner, Mr.P.R.Balasubramanian, learned counsel for R1 and Mr.Santhosh Kumar, learned counsel for R2.

3.Learned counsel for R2 would submit that the Sports Development Authority of India is neither a necessary nor proper party to this writ petition.

4.The prayer of the petitioner is based entirely upon the relief obtained in WP.No.12208 of 2006 dated 26.07.2011, wherein the petitioner had sought a mandamus directing the Tiruppur Sports Association to make arrangements to measure and certify certain works entrusted to him by R1.

5.The writ petition came to be disposed on 26.07.2011 directing the petitioner to submit the completion certificate issued by R1 within a period of eight weeks and upon receipt of the certificate, R1 was directed to effect payment to the petitioner, within a period of eight weeks thereafter. It is relevant to note that R1 was duly represented in order dated 26.07.2011 and has also allowed that order to become final. The petitioner submits that representations have been given to R1 enclosing certain particulars and bills, but there is no proof available in this regard.

6.The affidavit filed by the petitioner states that completion certificate has not been issued and that only details of measurements and bill abstracts are available. Learned counsel for the petitioner would also submit that pending writ petition, the petitioner has passed away.

7.In light of the circumstances as aforesaid, it would suffice to permit the legal heirs of the petitioner to approach R1 with all material particulars in respect of their claim and R1, bound by the order passed by this Court in 2011, will take necessary action in this regard, expeditiously and in any event within a period of 12 weeks from date of receipt of representation from the petitioners' legal heirs.

8.This writ petition is disposed as above. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

vs

Sub Assistant Registrar



To

1. The Secretary,
Tiruppur Sports Organisation
36.K.P.N. Colony, 1st Street, Tiruppur.
2. The District Sports Officer,
SDAT, Chikkannan Arts College,
College Road, Tiruppur.

+1cc to Mr.G.Mutharasu, Advocate, S.R.No.9931

+1cc to Mr.K.Azhaguraman, Advocate, S.R.No.9569

+1cc to Mr.P.R.Balasubramanian, Advocate, S.R.No.9389

W.P.No.6340 of 2019

GPL (CO)

SU (25/05/2022)