



W.P.(MD)No.7808 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7808 2022

and

W.M.P.(MD)Nos.5857 and 5859 of 2022

Jeyaraj

... Petitioner

Vs.

1. The Principal Secretary to Government,
Director of Rural Development and
Panchayat Raj Building,
Abdul Razzak Street,
Saidapet,
Chennai - 600 015.
2. The District Collector,
District Collector Office,
Kanniyakumari District.
3. The Project Director and Additional Collector,
District Rural Development Agency (DRDA),
Collector,
Nagercoil,
Kanniyakumari District.



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4. The Block Development Officer,
Munchirai Union Panchayat Office,
Puthukkadai Post,
Kanniyakumari District.
5. The Panchayat President,
Thuthoor Village Panchayat,
Killiyoor Taluk,
Kanniyakumari District.
6. The Executive Engineer,
Munchirai Panchayat Union Office,
Kanniyakumari District.
7. The Assistant Executive Engineer,
Padmanabhapuram,
Nagercoil,
Kanniyakumari District.
8. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
No.210/A1. Lourdu Anna Salai,
Superintendent of Police Camp Office Road,
Thalavaipuram Road, Punnai Nagar,
Nagercoil,
Kanniyakumari District - 629 004.
9. P.Rajkumar
10. The Professor and Head,
Division of Structural Engineering,
Department of Civil Engineering,
Anna University,
Chennai - 600 025.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 to 8 to initiate appropriate legal action, criminal and departmental, against all those responsible for their negligence in not constructing a strong and quality building for the Thoothur Panchayat Office with the allocated funds.

For Petitioner : Mr.Henri Tiphagne

For Respondent : Mr.M.Sarangan
Add. Gov Pleader for R1-R3,R7&R8
Mrs.S.Jeyapriya
Government Advocate for R4 to R6
Mr.C.Kishore for R9
Mr.J.John Rajadurai for R10

ORDER

Heard the learned counsel on either side.

2. The petitioner alleges that the petition mentioned construction is of poor quality. He wants action to be taken.

3. When the matter was taken up for hearing, the learned counsel appearing for the ninth respondent clarified that the work order was issued



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in the name of the Panchayat Secretary and the ninth respondent was only a supplier of building materials and nothing more than that and that he was not responsible for the nature of construction.

4. The learned Additional Government Pleader appearing for the official respondents submitted that the Executive Engineer, DRDA, Kanniyakumari, conducted a spot inspection and after conducting the inspection came to the conclusion that the construction has been properly carried out.

5. Since contentious aspects have been thrown up for consideration, it is not possible to this Court to go beyond a point. The construction is for a Village Panchayat. It is for the second respondent to take a call in this regard. No further direction is issued in this Writ Petition.



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6. Accordingly, this Writ Petition is disposed of. No costs.

Consequently, connected Miscellaneous Petitions are closed.

30.08.2022

Index : Yes / No

Speaking Order : Yes / No

vji

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