

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Special Original Jurisdiction

Tuesday, the Fifteenth day of November Two Thousand and Twenty Two
PRESENT

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN
WP(MD). No.19870 of 2022

v. Kanthasamy

... Petitioner

Vs

- 1 The District Collector,
Virudhunagar District Virudhunagar.
- 2 The Assistant Executive Engineer (Rural Development)
Aruppukottai,
Virudhunagar District.
- 3 The Assistant Engineer, Panchayath Union,
Narikudi, Aruppukottai,
Virudhunagar District.
- 4 The Block Development Officer.
(Village Panchayath) Narikudi Union
Panchayath, Virudhunagar District.
- 5 The Secretary,
Narikudi Union Panchayath,
Virudhunagar District.

... Respondents

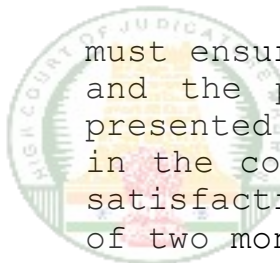
Prayer :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents no.4 and 5 to ensure the work of CC Drainage and Cement Concrete Pavement as per the proceedings in Na.Ka.A6/1140/2021 dated 08.08.2021 and 08.09.2021 respectively, by considering the petitioner representation dated 04.08.2022

ORDER:- This Writ Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. M. Jegadeesh Pandian, Advocate for the Petitioner and of Mr. D. Sadiq Raja Additional Government Pleader on behalf of R1 to R3 and Mr. A. Sivan Pandian, learned counsel appearing for the fourth respondent, this Court made the following order:

This matter is listed today under the caption 'for reporting compliance'.

2. This Court, vide order dated 09.09.2022, while disposing of the writ petition, directed the concerned Engineer as well as the Technical Assistant to be present while laying the said road and



must ensure that all the estimate concerned to be taken into account at and the public road to be laid in accordance with the estimate presented before the authorities concerned and if there is any flaw in the contract, the authorities will rectify the same and only on satisfaction of the norms, the work to be completed within a period of two months i.e., on or before 14.11.2022.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 has produced photographs and submitted that the road has been levelled and encroachments found in the said road were removed. The learned Additional Government Pleader further submitted that due to rainy season, they cannot proceed further, as there is a water stagnation in the said area.

4. Considering the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents 1 to 3, this Court directs the authorities concerned to complete the work on or before **31.01.2023**. The petitioner has got no right to say that where the road has to be laid and the Council Member is there to save the interest of the Public. The petitioner has got no *locus standi* to question the projects to be done by the competent officers of the concerned Panchayat and the petitioner's claim is only a gimmick to show that he is a person concerned with the welfare of the said area. The petitioner is not residing in the said area and his children are only residing in the area. The petitioner cannot dictate terms to the authorities to act according to his own whims and fancies.

5. In view of the above, no further order is required in the present Writ Petition.

Sd/-

Assistant Registrar (CS II)

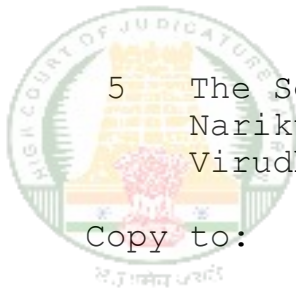
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/11/2022

Sub Assistant Registrar(CS)

TO

- 1 The District Collector,
Virudhunagar District Virudhunagar.
- 2 The Assistant Executive Engineer (Rural Development)
Aruppukottai,
Virudhunagar District.
- 3 The Assistant Engineer, Panchayath Union,
Narikudi, Aruppukottai,
Virudhunagar District.
- 4 The Block Development Officer.
(Village Panchayath) Narikudi Union
Panchayath, Virudhunagar District.



5 The Secretary,
Narikudi Union Panchayath,
Virudhunagar District.

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 15/11/2022

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ORDER

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WP(MD) . No.19870 of 2022

Giving direction and etc.
as stated within.

MGJ/SKN(24.11.2022) 3P 7C