



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Thirteenth day of September Two Thousand and
Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

W.M.P (MD) No.15846 of 2022
in
W.P (MD) No.7061 of 2012

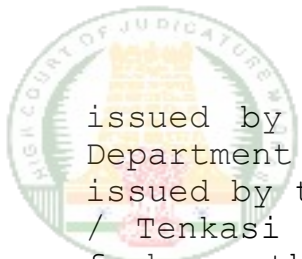
M. MUTHIYA PANDI (DIED) ... DECEASED/PETITIONER
1 M.SARAVANAN ... PETITIONER/ PETITIONER

Vs

- 1 THE DISTRICT COLLECTOR
TIRUNELVELI DISTRICT, TIRUNELVELI.
- 2 THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT,
WATER RESOURCES ORGANIZATION,
CHETTAR BASIN DIVISION,
TENKASI, TIRUNELVELI DISTRICT.
- 3 THE JUNIOR ENGINEER
PUBLIC WORKS DEPARTMENT,
WATER RESOURCES ORGANIZATION,
IRRIGATION SECTION, TALUK
OFFICE CAMPUS, TENKASI,
TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE
ACHANPUDUR POLICE STATION,
ACHANPUDUR POST,
SHENKOTTAI TALUK,
TIRUNELVELI DISTRICT. ... RESPONDENTS/ RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to amend the prayer in WP(MD).No.7061/2012 as follows for the reasons stated it is most humbly prayed that this Honble Court may be pleased to issue a Writ of Certiorarified Mandamus or any other appropriate Writ or order of direction in the nature of writ

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issued by the 1st Respondent in G.O.(Ms).No.16 Public Works Department dated 14.01.2011 and the consequential action notice issued by the 3rd Respondent in his proceedings Ka.No. Ko. T19/E.Po. / Tenkasi / dated 03.05.2012 and Quash the same and consequently forbear the Respondents from in any way conducting auction in respect of Udayaselvan Tank, Vadakarai Keel Pidakai Village, Shenkottai Taluk, Tenkasi District, during the Subsistence of the Petitioner's lease.

Prayer in WP(MD). 7061/ 2012 :

Writ Petition filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of writ to call for the records in pursuant to the impugned order passed by the 3rd respondent in proceedings Ka.No.Ko.T19/E.Po./Tenkasi/ dated 03.05.2012 and quash the same and consequently to forbear the respondents from in any way conduction auction in respect of Udayaselvan Tank, Vadakarai Keel Pidakai Village, Shenkottai Taluk, Tirunelveli District, during the subsistence of the Petitioner's lease.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.SARAVANAKUMAR.M, Advocate for the petitioner, the court made the following order:-

The present application has been filed to amend the prayer in the writ petition so as to challenge G.O.Ms.No.16 Public Works (W2) Department, dated 14.01.2011. However, the authority who issued the Government Order has not been impleaded as one of the parties to the amendment application.

2. In view of the said fact, the learned counsel for the petitioner seeks permission of this Court to withdraw the present amendment petition with liberty to file a fresh amendment application and the same is granted.

3. Accordingly, this petition is closed.

sd/-

13/09/2022

/ TRUE COPY /

/09/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gbg



TO

1 THE DISTRICT COLLECTOR
TIRUNELVELI DISTRICT, TIRUNELVELI.

2 THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT,
WATER RESOURCES ORGANIZATION,
CHETTAR BASIN DIVISION,
TENKASI, TIRUNELVELI DISTRICT.

3 THE JUNIOR ENGINEER
PUBLIC WORKS DEPARTMENT,
WATER RESOURCES ORGANIZATION,
IRRIGATION SECTION, TALUK
OFFICE CAMPUS, TENKASI,
TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE
ACHANPUDUR POLICE STATION,
ACHANPUDUR POST,
SHENKOTTAI TALUK,
TIRUNELVELI DISTRICT.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

W.M.P (MD) No.15846 of 2022
in

W.P (MD) No.7061 of 2012

Date :13/09/2022

RK/SVR/SAR-1 (21/09/2022) 3P/6C