



WEB COPY



W.P. No. 2667 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. No. 2667 of 2023

and

W.M.P. Nos.2761 and 2763 of 2023

R.Anantharaj

.. Petitioner

-VS-

1. The Commissioner,
Rural Development and Panchayat Raj,
Panagal Maligai, 4th & 5th Floor,
Abdul Razzak St., Saidapet,
Chennai 600 015.
2. The District Collector/Chairman,
District Rural Development Agency,
First Floor, New Collectorate Building,
Collectorate, Manjakuppam,
Cuddalore 607 001.
3. District Rural Development Agency,
Silver Beach Rd., Pudupalayam,
Cuddalore 607 001.
4. Block Development Officer,
Kammapuram Panchayat Union,
Virudhachalam Kammapuram Bhuvanagiri
Parangipettai Road, Budhumur
Cuddalore Main Road, Virudhachalam 606 103.



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5. Executive Engineer (Municipal Development),
District Rural Development Agency,
Silver Beach Rd., Pudupalayam,
Cuddalore 607 001.
6. Assistant Executive Engineer,
Kammapuram Panchayat Union,
Virudhachalam Kammapuram Bhuvanagiri
Parangipettai Road, Budhumur Cuddalore
Main Road, Virudhachalam 606 103.
7. Panchayat President/Secretary,
Iruppu Village, Iruppu Panchayat Office,
Virudhachalam 607 805.
8. The Tahsildar,
Virudhachalam 606 001.
9. M/s.Rasi & Co.
Rep. by its Authorised Signatory,
No.31 C, Brindhavan Nagar,
Virudhachalam.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records in relation to proceedings bearing Sa.Moo.No.A7/1250/2022 dated 12.09.2022 issued by the 2nd respondent and quash the same as illegal and direct the 2nd respondent to identify the actual infrastructural requirement of Iruppu Panchayat and sanction necessary fund under the "Anaithu Grama Anna Marumalarchi Thittam-II" for executing the work.

For the Petitioner : M/s.Rohini Ravikumar



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For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mrs.R.Anitha,
Special Government Pleader,
for RR 1 to 8
: No appearance for R-9

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard M/s.Rohini Ravikumar, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for respondents 1 to 8.

2. The learned counsel for the petitioner submits that works were to be carried out totaling Rs.61,14,661/-. Seven works were to be carried out. Out of seven works, the work orders for four works were faulty. In respect of work in item no.1, the name of the village where the pond is situated is wrongly mentioned, whereas in case of other works, survey numbers where the works are to be carried are wrongly mentioned. In respect of the concrete road, the respondents have taken corrective measures after the writ petition was filed. The respondents have to proceed with the work in a lawful manner,



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otherwise if the mistakes in the record persist, further complications will arise and it will be a loss to public exchequer.

3. The respondent no.4 has filed a status report and has given the details of the works carried out.

4. There is no dispute that the works in question are public welfare works. The public welfare works have to be undertaken and completed as expeditiously as possible. They are meant for the people at large. In case the respondents find error in quoting the survey number or the name of the village, the respondents may take corrective measures in that regard. They may verify the records and may take appropriate steps. In case it is found that some survey numbers are wrongly mentioned or the location of the pond is erroneously stated, the same be corrected.

5. As far as the encroachment is concerned, the respondents have accepted that there is an encroachment near the water body and survey is conducted and the steps are being taken to remove the encroachment and after removal of encroachment, the works therein would be carried out.



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With these observations, the writ petition stands disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., CJ.)

(P.D.A., J.)

27.06.2023

Index : yes/no

Neutral Citation : Yes/No
sra

To:

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(sra)

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