



C.M.P.No.3675 of 2023 in W.A.SR.No.19088 of 2023

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WEB COURT
THE HON'BLE ACTING CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.

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

This civil miscellaneous petition has been filed by the District Collector, Tiruvallur seeking leave to file appeal against the order dated 23.12.2022 passed in Writ Petition No.16933 of 2015.

2. Mr.S.Silambanan, learned Additional Advocate General appearing for the petitioner pleaded that the learned single Judge has directed the District Collector, Tiruvallur to hold an enquiry into the veracity of the expenditure of Rs.2,02,39,000/- said to have been spent for renovating the Deenadayal Medical College and Hospital premises for accommodating the Covid-19 patients during the pandemic period including a breakdown of the heads in regard to which the aforesaid amount was spent and file a status report. Earlier the District Collector, Tiruvallur, in his order dated 10.08.2021, to ascertain the genuineness of the claim made by one contractor Mr.B.Loganathan, the petitioner in W.P.No.16143 of 2021, formed a Committee under the Chairmanship of the Project Director, Rural



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Development Agency, Tiruvallur with the following members:-

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- (i) Executive Engineer, PWD Building (C&M), Tiruvallur
- (ii) Executive Engineer (Rural Development), DRDA, Tiruvallur
- (iii) Assistant Executive Engineer, PWD (Electrical), Tiruvallur

The learned Additional Advocate General also pleaded that the Committee was assigned with the duties and responsibilities mentioned therein with a specific direction that the Committee should complete the work without any deviation and submit the report on or before 14.08.2021. Accordingly, the Committee also submitted its report on 01.04.2022 arriving at a sum of Rs.1,79,58,142/-. Therefore, when an enquiry has already been conducted on the basis of the order dated 10.08.2021 passed by the District Collector, Tiruvallur, since there is no notice issued to the District Collector, he cannot be once again made to probe into this matter. Therefore, the petitioner should be granted leave to challenge the impugned order.

3. We are unable to find any justification for granting leave. The reason is simple. When the learned single Judge, entertaining a doubt with regard to the claim of expenditure raised for renovating the Deenadayal Medical College and Hospital premises to accommodate the Covid-19 patients during the pandemic period, has directed the District Collector,



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Tiruvallur to conduct an enquiry to ascertain the genuineness of the claim made by the contractor Mr.B.Loganathan, the petitioner in W.P.No.16143 of 2021, we do not find any difficulty for the petitioner to go back to the learned single Judge to apprise the order dated 10.08.2021 appointing the Committee under the Chairmanship of the Project Director, District Rural Development Agency, Tiruvallur to ascertain the genuineness of the claim made by the writ petitioner/contractor and also placing the report dated 01.04.2022 submitted by the said Committee. With this observation, the civil miscellaneous petition stands dismissed.

(T.R.,A.C.J.) (D.B.C.,J.)

23.02.2023

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