



W.P(MD)No.812 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.812 of 2019
and W.M.P(MD)Nos.651 & 652 of 2019

G.Kumaresan

...Petitioner

Vs.

1. The Commissioner,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.

2. Mr. Sivapatham,
Executive Engineer (Planning),
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus calling for the records of the 1st respondent herein in his proceedings in Na.Ka. No.C.1(Maiyam)/4933/2012, dated 14.11.2018 in respect of item no.1 in so far as allotting the engineering works to the 2nd respondent and quash the same and consequently direct the 1st respondent herein to allot the engineering



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works to the senior most Assistant Executive Engineer in the 1st respondent corporation and to pass such further or other order as this Hon'ble Court.

For Petitioner : Mr.K.Hemakarhikeyan
For R1 : MrV.Nirmal Kumar
for M/s.RB Law Associates
For R2 : Mr.T.Sivanathan

ORDER

Heard the learned counsel for the petitioner, the learned counsel for the first respondent and the learned counsel for the second respondent and perused the records.

2. The learned counsel for the petitioner submits that at the time of filing of the Writ Petition, the petitioner worked as Assistant Executive Engineer in the first respondent Corporation and as per relating Rules, the first respondent has to allot the engineering works to the Executive Engineer or the Assistant Executive



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Engineer of the Engineering Department but the first respondent issued impugned proceedings entrusting the engineering works to the Executive Engineer who is working in the Planning Department, which is contrary to the rules.

3. The learned Standing Counsel appearing for the first respondent on instructions submits that during the pendency of this Writ Petition the petitioner was promoted as the Executive Engineer and transferred to some mother Municipal Corporation.

4. On consideration of the present factual position, in my considered opinion, no further adjudication is required at present in this Writ Petition. However, the issue raised in this Writ Petition whether the Engineers of the Planning Department can be allotted for engineering works contrary to the rules would be adjudicated in appropriate case.



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5. In view of the above, this Writ Petition is closed.

6. No costs.

7. Consequently, connected miscellaneous petitions are closed.

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Index : Yes / No
NCC : Yes / No
CM

To,
1. The Commissioner,
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.

2. Mr. Sivapatham,
Executive Engineer (Planning),
Tiruchirappalli City Municipal Corporation,
Tiruchirappalli.



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BATTU DEVANAND, J.

CM

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