



W.P.(MD) No.22363 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD) No.22363 of 2018

and

W.M.P.(MD) Nos. 20257 and 20258 of 2018

V.R.Swaminathan

.. Petitioner

Vs.

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Project Officer,
District Rural Development Agency,
Thanjavur, Thanjavur District.
- 3.The Assistant Director of Panchayath,
Collectorate,
Thanjavur, Thanjavur District.
- 4.The Block Development Officer (Panchayath),
Papanasam Panchayath Union,
Papanasam, Thanjavur District.
- 5.The Special Officer,
Chakarapalli Panchayath,
Papanasam Taluk,
Thanjavur District.



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6.N.Satheesh

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Work order in Na.Ka.No.498/2018/A1 dated 08.10.2018 of the 5th Respondent, and quash the same and consequently direct the Respondents 1 to 5 to conduct the tender after issuing tender schedules to the Petitioner in a fair and transparent manner.

For Petitioner	:	Mr.AN.Ramanathan
For RR1 to 3	:	Mr.M.Sarangan Additional Government Pleader
For R5	:	Mr.M.Raja Rajan
For R6	:	Mr.R.Maheswaran

ORDER

This Writ Petition has been filed challenging the impugned work order issued by the fifth respondent in favour of the sixth respondent.

2. The learned counsel appearing for the petitioner submits that the respondents 4 and 5 have allotted the work in favour of the sixth respondent without following due process of law. In this regard, he has



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filed a writ petition in W.P(MD).No.21757 of 2018 before this Court, wherein, the respondents have taken a stand that the work order has been issued in favour of the sixth respondent, based on which, the said Writ Petition was disposed of, with a liberty to the petitioner to challenge the work order issued in favour of the sixth respondent. Thereafter, the petitioner has filed this Writ Petition challenging the work order issued in favour of the sixth respondent.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, submits that the work has been completed and the payments have been disbursed.

4. When this Writ Petition filed against the work order issued in favour of the sixth respondent is pending, the work has been executed and the payments have been disbursed. Therefore, keeping the writ petition pending will not serve any purpose to the petitioner. However, liberty is granted to the petitioner to make a complaint before the concerned Assistant Director (Panchayats), within a period of two weeks



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from the date of receipt of a copy of this order, in respect of the work order issued in favour of the sixth respondent. On receipt of the complaint, if any, made by the petitioner, the concerned Assistant Director (Panchayats) shall consider the same and if any violation is found, the Assistant Director (Panchayats) shall recommend for taking necessary action to the first respondent, namely, the District Collector, Thanjavur District.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petitions are closed.

01.12.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

ssb



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B.PUGALENDHI, J.

ssb

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