



W.A(MD)Nos.2081 to 2083 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND**

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A(MD)Nos.2081 to 2083 of 2025

and

C.M.P.(MD) Nos.11920, 11923 & 11925 of 2025

1. The Special Commissioner And
Commissioner of Revenue Administration,
Chepauk, Chennai.
2. The District Collector,
Collectorate Office,
Kanyakumari, Nagercoil.
3. The Executive Engineer P.W.D,W.R.O,
Kodhayar Basin Division,
Nagercoil.
4. The Assistant Executive Engineer P.W.D.W.R.O,
Pazhayar Basin Sub Division,
Nagercoil.
5. The Assistant Engineer P.W.D, .W.R.O,
Boothapandi Section,
Boothapandi, Kanyakumari District.



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6. The Superintending Engineer, P.W.D.W.R.O.
Thamiraparani Basin Circle,
Near S.P. Office, Thirunelveli.

7. The Chief Engineer,
P.W.D, W.R.O.
Madurai Region,
Thalakulam, Madurai.

8. The Chief Engineer General P.W.D, W.R.O,
P.W.D Campus,
Chepauk, Chennai - 5.

9. The Additional Chief Secretary,
Commissioner of Revenue Administration,
Disaster Management,
Ezhilagam, Chennai.

10. The Assistant Executive Engineer, P.W.D.W.R.D,
Kodayar Basin - Division,
Nagarcoil.

...Appellants
(in all cases)

Vs.

1.P.Venugopal

...Respondent
in W.A(MD)No.2081/2025

2.B.Joseph Kalai Arasu

...Respondent
in W.A(MD)No.2082/2025

3.N.David Raj

...Respondent
in W.A(MD)No.2083/2025



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PRAYER for W.A(MD)No.2081/2025 : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 03.06.2024 passed in W.P(MD)No.3793/2024 on the file of this Court and allow this writ appeal.

PRAYER for W.A(MD)No.2082/2025 : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 03.06.2024 passed in W.P(MD)No.3794/2024 on the file of this Court and allow this writ appeal.

PRAYER for W.A(MD)No.2083/2025 : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 03.06.2024 passed in W.P(MD)No.3795/2024 on the file of this Court and allow this writ appeal.

For Appellants : Mr.V.Om Prakash
Government Advocate
(for all cases)

For Respondents : Mr.S.Haja Mohideen Gisthi
(for all cases)



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COMMON JUDGMENT

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[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

The writ appeals have been filed challenging the order passed by this Court in W.P(MD)Nos.3793, 3794 and 3795 of 2024 respectively.

2.It is a settled position of law that contractual obligations or civil rights between the parties cannot be adjudicated in a writ proceedings, which is to be undertaken based on the documents and evidence on record. High Court cannot conduct a roving enquiry with reference to the disputed facts relating to contractual obligation between the parties.

3.In the present appeals, the respondents claim that they were allotted some temporary works during cyclone period and after completing the work, the appellants have not settled the amount.

4.The learned Counsel appearing for the respondents would vehemently contend that the work allotted to the respondents was not disputed by the authorities. Therefore, they are bound to settle the amount as per the agreement.



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5.However, no such contract or agreement has been produced.

Letter has been issued by the Assistant Engineer stating that certain temporary works are allotted.

6.The learned Government Advocate appearing for the appellants would submit that the respondents/writ petitioners are not entitled for the amount, since there are some disputed facts exist relating to the works said to be done by the respondents.

7.All these disputed facts are to be adjudicated before the competent forum. The learned Single Judge has passed an order stating that the respondents therein have admitted the work and therefore the writ petitioner is entitled to claim payment for the works done. It cannot be decided in such a manner, since disputed facts are raised which is to be adjudicated. The writ Court cannot adjudicate such disputed issues under Article 226 of the Constitution of India.



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8.In view of the facts and circumstances, the respondents have to resolve the issues through negotiation with the departmental authorities or by approaching the competent court of law, if they are is so advised.

9.With these observations, the writ Court orders are set aside and the writ appeals are allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

[S.M.S., J.] [G.A.M., J.]
26.08.2025

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

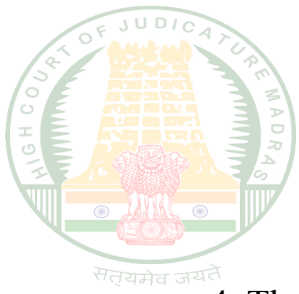
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To

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