



W.P(MD)No.24866 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.24866 of 2025
and W.M.P(MD).Nos.19533 and 19534 of 2025

N.Amose

.. Petitioner

Vs

- 1.The District Collector,
Office of the District Collector,
Nagercoil, Kanyakumari District.
- 2.The Assistant Director of Town Panchayat,
Collectorate Building,
Nagercoil, Kanyakumari District.
- 3.The Assistant Executive Engineer of Town Panchayat,
Collectorate Building,
Nagercoil,
Kanyakumari District.
- 4.The Junior Engineer,
Thirapparapu Selection Grade Town Panchayat,
Thiruvattar Taluk,
Kanyakumari District.
- 5.The Executive Officer,
Thirapparapu Selection Grade Town Panchayat,
Thiruvattar Taluk,
Kanyakumari District.

.. Respondents



W.P(MD)No.24866 of 2025

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for records and quash the order passed by the 5th respondent vide Na.Ka.No. 167/2023/A1 dated 26.08.2025 and direct the respondents to permit the petitioner to continue and complete the work awarded under the notice to work, order dated 06.06.2025 without insisting upon the alleged recovery of Rs. 2,00,904/-

For Petitioner : Mr.G.Sethu Surendhar

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader
(for R1 to R4)
Mr.C.Satheesh
Government Advocate (for R5)

ORDER

This writ petition has been filed to quash the order passed by the 5th respondent vide Na.Ka.No. 167/2023/A1 dated 26.08.2025 and consequential direction to the respondents to permit the petitioner to continue and complete the work awarded under the notice to work, order dated 06.06.2025 without insisting upon the alleged recovery of Rs. 2,00,904/-.

2. The brief facts giving rise to the filing of the above writ petition are as follows:



W.P(MD)No.24866 of 2025

The petitioner, who is the Government registered Road Contractor, was issued with the work order by the fifth respondent to lay a cement concrete link road connecting Nedumankadu High way to Mukkachivilai Road via Poolankottukulam, for an estimated value of Rs.9,80,000/-. The petitioner commenced his work on 08.07.2025 in the presence of the Panchayat President, Vice-President of Thirapparapu Selection Grade Town Panchayat and Councillor of Ward No.16, after he had duly informed the Executive Officer and Junior Engineer through Whatsapp. It is the grievance of the petitioner that the fifth respondent lodged a complaint before the Kulasekaram Police Station alleging that during the course of road formation, the petitioner had removed and misappropriated the existing paver blocks valued Rs.2,00,904/- and the said complaint was registered in CSR.No.482 of 2025. The Executive Engineer has valued paver blocks at Rs.2,00,094/-. The petitioner was directed to immediately repair the damaged road and submit a report. Challenging the allegation of theft, the petitioner is before this Court.

3. The fifth respondent has filed a counter stating that the petitioner has not commenced work, but has cut, removed and stolen the stones namely Interlock tiles 80 mm thick-planted nearer to the work spot, for which, the complaint was lodged before the police. The loss was assessed and the



W.P(MD)No.24866 of 2025

impugned order has been issued. He further submits that the petitioner has not taken any steps whatsoever to rectify the defect by planting the Interlock tiles in the road, where he had stolen. The petitioner had also caused financial loss and bad name to the panchayat. Therefore, as per Rule No.244, Section 4 of the Tamil Nadu Urban Local Bodies Rules, 2023, the Council passed the resolution against the petitioner so as to place him in black list by resolution No.171, dated 29.09.2025.

4. Heard the learned counsel on either side.

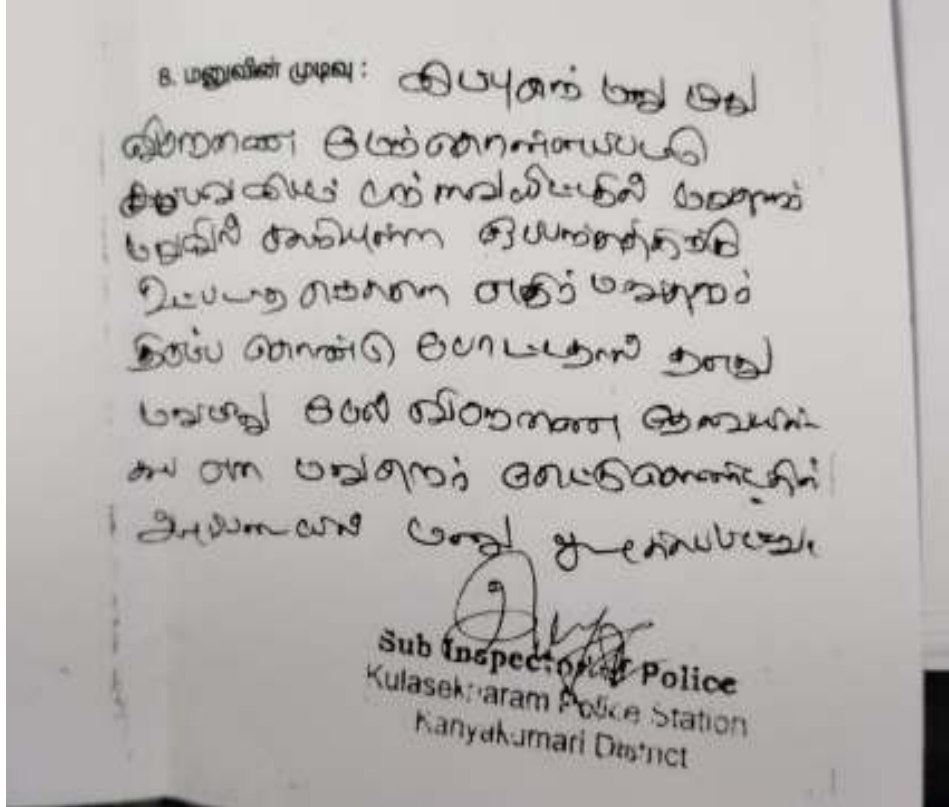
5. The learned counsel for the petitioner would submit that the photograph filed along with this writ petition clearly shows that no such theft was done by the petitioner and that false allegations have been made against the petitioner. This Court therefore directed the learned Government Advocate (crl.side) to obtain instructions regarding the status of complaint in CSR.No. 482 of 2025.

6.Today i.e., 17.11.2025, pursuant to the direction of this Court, the learned Government Advocate (crl.side) produced the report, wherein it has been stated as follows:



W.P(MD)No.24866 of 2025

WEB COPY



7. From the above, it is clear that the complainant himself has withdrawn the complaint on the ground that the paver blocks have been returned to the site. Therefore, the impugned order demanding payment to make good the alleged loss is absolutely without any basis. Therefore, the impugned order in Na.Ka.No. 167/2023/A1, dated 26.08.2025, passed by the fifth respondent is hereby quashed and this Writ Petition is allowed. The petitioner is directed to complete the work entrusted to him in the best possible manner.



W.P(MD)No.24866 of 2025

WEB COPY

8. The learned Special Government Pleader would submit that the online status reflects the complaint as still pending as on 15.11.2025. In response, the learned Government Advocate (crl.side) would submit that this is only because the records has not yet been updated.

No costs. Consequently, connected Miscellaneous Petitions are closed.

17.11.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

Rmk

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W.P(MD)No.24866 of 2025

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W.P(MD)No.24866 of 2025

P.T.ASHA, J.

Rmk

Writ Petition(MD)No.24866 of 2025

17.11.2025