



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 30421 of 2024

M.Muthukumar
Municipality Commissioner (Grade-II) (under
Suspension) S/o.Mylsamy (late) No.13, Subbaivan
Nagar, T.Kottampatti, Pollachi-642 002.

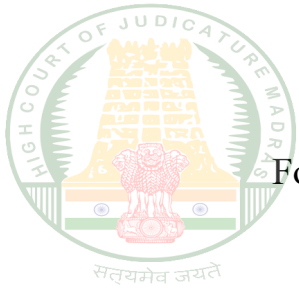
..Petitioner(s)

Vs

1. Tamil Nadu Local Bodies Ombudsman
Rep. by Its Secretary, No.100, Anna Salai,
Guindy, Chennai-600 032.
2. The Director
Director of Municipal Administration, No.78,
Urban Administrative Building, Santhome High
Road, Chennai-600 009.

..Respondent(s)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to take action on the communication of the 1st respondent in letter No.231/ Na/ 2023 dated 29.03.2023.



For Petitioner(s): Ms. L.P.Maurya

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For Respondent(s): Mr. L. Gokulraj,
Government Advocate for R2

ORDER

This writ petition has been filed seeking a mandamus directing the 2nd respondent to take action pursuant to the communication of the 1st respondent in letter No.231/ Na/ 2023 dated 29.03.2023.

2. The petitioner would submit that he was appointed as Municipal Commissioner (Grade II) on 09.03.2020 and was later transferred to Kulithalai Municipality and thereafter to Kangeyam Municipality. During the review meeting held on 01.09.2021, the Director of Municipal Administration instructed all Municipal Commissioners to verify the appointments of Domestic Breed Checker (DBC) workers, as complaints had been received regarding illegal appointments. On verification, the petitioner found that 40 DBC workers had been appointed without following the provisions of the Tamil Nadu Transparency in Tenders Act, 1998. Consequently, the petitioner directed the Sanitary Inspector, Selvaraj on 02.09.2021 to inform the 40 DBC workers not to report to duty. He issued a show cause notice dated 22.10.2021 to the Sanitary



Inspector seeking an explanation regarding the illegal appointment of DBC workers. Since no explanation was not submitted, he issued a Charge Memo dated 19.11.2021 to the Sanitary Inspector Subsequently, one DBC worker made allegations against the petitioner alleging sexual harassment. However, the criminal proceedings arising out of the complaint were quashed by this Court in Crime Nos. 4, 5 and 6 of 2022, holding that the complaint was false and an abuse of the process of law. Thereafter, the petitioner submitted representations dated 15.02.2023 and 08.02.2023 seeking action against the officers responsible for the illegal appointments. The 1st respondent, by communication dated 29.03.2023, forwarded the matter to the 2nd respondent for necessary action. The petitioner also sought information under the RTI Act and lodged a complaint before the Director of Local Fund Audit. Based on the complaint, an enquiry was conducted and one Chandrasekaran, the Assistant Director of Local Fund Audit was suspended vide proceedings dated 25.07.2024. Since no action was taken by the 2nd respondent on the recommendation dated 29.03.2023, the petitioner has filed the present writ petition seeking the aforesaid relief.

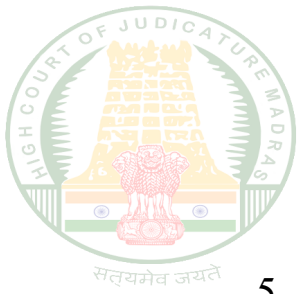
3. Heard the learned counsels on either side and perused the materials available on record.



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4. The 1st respondent had issued a communication dated 29.03.2023 to the 2nd respondent wherein it has been stated as follows:

“மேற்காறும் குழ்நிலையில் மனுதாரரால் தெரிவிக்கப்பட்ட புகார்களை குறித்து நகராட்சி நிர்வாக மண்டல இயக்குநர் தலைமையில் ஒரு குழு அமைத்து, அக்குழுவானது காங்கேயம் நகராட்சியில் ஆய்வு, செய்து, ஒப்பந்த துய்மைப் பணியாளர்கள் கொசு ஒழிப்பு, பணியாளர்கள் நியமனத்தில் முறைகேடு நடைபெற்றுள்ளதாக உறுதி செய்யப்பட்டால் சம்மந்தப்பட்ட காங்கேயம் நகராட்சிகள் அலுவலர்கள் (சுகாதார ஆய்வாளர் உட்பட) மீது உரிய விதிகளின் கீழ் ஒழுங்கு நடவடிக்கை மேற்கொள்ளுமாறு நகராட்சி நிர்வாக இயக்குநர் அறிவுறுத்தப்படுகிறார்.”



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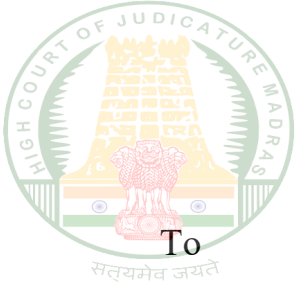
5. Pursuant to the direction issued by the petitioner to the illegally appointed DBC workers not to report for duty, a false complaint alleging sexual harassment was filed against him, which was ultimately quashed by orders of this Court dated 21.02.2024 in CrI.O.P.Nos.9735, 9736 and 9737 of 2022 wherein this Court had clearly observed that the complaint itself was filed to wreck vengeance and was a clear case of abuse of the process of law. However, despite this, the respondents have not taken any steps whatsoever to implement the order passed by the 1st respondent. Therefore, the 2nd respondent is directed to implement the communication issued by the 1st respondent within a period of four weeks from the date of receipt of a copy of this order failing which this Court will initiate suo motu contempt proceedings against the 2nd respondent.

6. With the above directions, this writ petition is disposed of. No costs.

14-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRN



To

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1. The Secretary,

Tamil Nadu Local Bodies Ombudsman

No.100, Anna Salai, Guindy, Chennai-600 032.

2. The Director

Director of Municipal Administration, No.78,

Urban Administrative Building, Santhome High

Road, Chennai-600 009.



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P.T.ASHA J.

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