

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2015

CORAM

THE HON'BLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.10453 of 2014

K.JOTHI RAMALINGAM

[PETITIONER]

Vs

- 1 THE DISTRICT COLLECTOR
VILLUPURAM DISTRICT, VILLUPURAM
- 2 THE ASSISTANT DIRECTOR (PANCHAYATS)
DISTRICT COLLECTORATE, VILLUPURAM
- 3 THE BLOCK DEVELOPMENT OFFICER
(VILLAGE PANCHAYATS)
TIRUVENNAINALLUR BLOCK
TIRUVENNAINALLUR, TIRUKOILUR TALUK
- 4 THE ASSISTANT BLOCK DEVELOPMENT OFFICER
(PANCHAYAT)
TIRUVENNAINALLUR BLOCK
TIRUVENNAINALLUR, TIRUKOILUR TALUK
- 5 THE ASSISTANT BLOCK
DEVELOPMENT OFFICER (AUDIT)
TIRUVENNAINALLUR BLOCK
TIRUVENNAINALLUR
TIRUKOILUR TALUK

6 A.PARIMALAM

7 A.GOKULRAJ

[RESPONDENTS]

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the 1st respondent to initiate proceedings/action on the basis of the representation/complaint given by the petitioner on 3.2.2014 against the 6th respondent for the irregularities and misappropriation committed by him in accordance with the Tamilnadu Panchayat Act 1994.

For Petitioner .. Mr.N.Suresh

For Respondent .. Mr.R.Lakshmi Narayanan-R1
Addl.Govt. Pleader

Mr.K.Karthikeyan - R2 to R5

O R D E R

With the consent of the learned counsel appearing on either side, the writ petition is taken up for final disposal.

2. Heard Mr.N.Suresh, learned Counsel appearing for the petitioner, R.Lakshmi Narayanan, learned Additional Government Pleader appearing for the first respondent and Mr.K.Karthikeyan, learned counsel appearing for respondents 2 to 5.

3.The petitioner who is the resident of Iruvelpattu village has come forward with this Writ Petition praying for a direction to consider his representation dated 03.02.2014, in which the petitioner has made serious allegations against the respondents 6 & 7, who are the elected President and Vice President of the Iruvelpattu Panchayat.

4.In my view, if there is any allegation against the elected members, then the petitioner being one of the members of the electorate, should approach the elected body and bring about the motion of 'no confidence'. However, the petitioner has approached this Court and seeks for a positive direction to take action on his complaint/representation.

5.In the facts and circumstances of the case, this Court is not inclined to issue any positive direction based on the petitioner's complaint/representation. However, the District Collector, being the Inspector of Panchayats is bound to consider any complaint/representation received wherein allegations are made against the elected members.

6. Accordingly, the Writ Petition is disposed of by permitting the petitioner to pursue his representation before the first respondent, which shall be considered in accordance with law, after notice all concerned. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

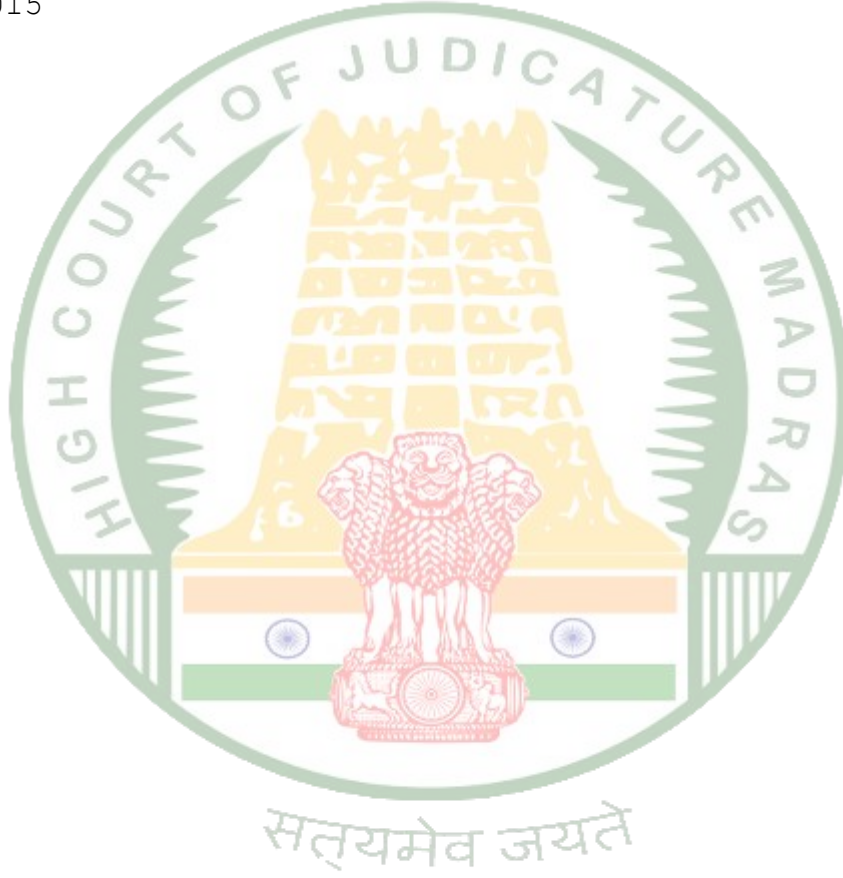
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To

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+1 cc to Mr.N.Suresh, Advocate sr.65924
+2 ccs to Government Pleader, vide sr.66248,
65937

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