

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11366 of 2015

V.Jayapal

.. Petitioner

- Vs -

1. State of Tamilnadu,
Rep. by Secretary to Government,
Department of Municipal Administration,
Fort St. George, Chennai - 600 009.
 2. The Election Commissioner,
Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
Opp.CMBT, Arumbakkam, Chennai - 600 106.
 3. The District Collector,
(Panchayat Inspector),
Thiruvavarur, Thiruvavarur District.
 4. R.Rajendran
- ... Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to initiate proceedings on the representation of the petitioner dated 27.03.2015 against the 2nd respondent for his removal from the post of Chairman of the Needamangalam Panchayat Union and member of the first ward of the said Panchayat Union.

Petitioner : Mr.S.Ayyathurai

For Respondents 1 to 3: Mr.S.Pattabiraman,
Government Advocate

O R D E R

By consent, the writ petition is take up for final disposal.

2. The petitioner claims to be one of the voters of the local body and that he submitted a representation dated 27.03.2015 to the respondents 1 to 3 stating among other things that the 4th respondent was arrested in Crime No.273/11 registered by Needamangalam Police Station for offence punishable under Section 379 of the Mines and

Minerals (Development and Regulation) Act, 1957 and after investigation chargesheet was laid and during trial the 4th respondent pleaded guilty and he was sentenced with fine of Rs.1,000/-. It is submitted by the petitioner that the said fact has been suppressed by the 4th respondent while contesting for the post of President of the Local Body and the respondents 1 to 3 in spite of receipt of his representation have not come forward to dispose of the same and hence filed the writ petition.

3. Heard Mr.S.Ayyathurai, learned counsel appearing for the petitioner and Mr.S.Pattabiraman, learned Government Advocate accepts notice for the respondents 1 to 3.

4. This Court taking into consideration the limited scope of the prayer sought for by the petitioner, without going into the merits of the representation, directs the respondents 2 and 3 to consider and dispose of the representation of the petitioner dated 27.03.2015, on merits and in accordance with law, after putting the 4th respondent on notice and pass orders as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as the 4th respondent. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Department of Municipal Administration,
Fort St. George, Chennai - 600 009.
2. The Election Commissioner,
Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
Opp.CMBT, Arumbakkam, Chennai - 600 106.
3. The District Collector,
(Panchayat Inspector),
Thiruvavarur, Thiruvavarur District.

+ 1 cc to Mr.S. Ayyathurai, Advocate Sr.21222
+ 1 cc to the Government pleader SR.21512

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GR(CO)
Eu 18.05.2015