

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.13633 of 2015
& M.P.No.1 of 2015

1 T.Vijaya Rajan .. Petitioner

Vs.

1 The Chief Secretary
Secretariat
Fort St. George
Government of Tamil Nadu
Chennai 9

2 Directorate of District Municipalities
Chepauk, Chennai

3 The Collector
District Collectorate
Coimbatore

4 The Commissioner
Municipality Valparai

5 The Regional Director
Municipality Administration Regional Office
Tiruppur Municipality
Tiruppur District

6 M.Mayil Ganesan

.. Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents 1-5 to immediately remove the 6th respondent from the post of Vice-Chairman of Valparai Municipality as he has suffered disqualification under Section 50 (1) (d) of The Tamilnadu District Municipalities Act.

For Petitioner

.. Mr.P.V.Balasubramaniam

For Respondents

.. Mrs.P.Rajalakshmi,
Govt.Advocate for R1 to R5

ORDER

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

2.The petitioner claims that he is the resident of Valparai Municipality and a recognized Contractor in the said Municipality and 6th respondent is acting as elected Vice Chairman. Though the petitioner applied for tenders of work, he was not successful and later came to know that most of the contracts of the tenders were awarded to one Jeyaram and Uma Maheswari, who are none other than the 6th respondent's brother and sister-in-law. The petitioner in this regard submitted a detailed representation dated 20.4.2015 to the respondents 2 to 5 pointing out among other things that in view of such illegality, the sixth respondent shall be removed from the post of Vice Chairman of Valparai Municipality. The elected Vice Chairman shall be disqualified, in case he acquires any interest in any contract or work being done for the Council except as a shareholder, as per Section 50(1)(d) of the Tamil Nadu District Municipalities Act. Since the said representation has not been disposed of, the petitioner came forward to file this writ petition.

3.Heard the submissions of Mr.P.V.Balasubramaniam, learned counsel appearing for the petitioner and Mrs.P.Rajalakshmi, learned Government Advocate, who accepts notice for the respondents.

4.This Court, without going into merits of the representation, directs the third respondent to consider the petitioner's representation dated 20.04.2015 in accordance with law, after putting a notice to the sixth respondent and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner as well as the sixth respondent. The writ petition is disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ajr

To

1 The Chief Secretary
Secretariat
Fort St. George
Government of Tamil Nadu
Chennai 9

2 Directorate of District Municipalities
Chepauk, Chennai

3 The Collector
District Collectorate
Coimbatore

4 The Commissioner
Municipality Valparai

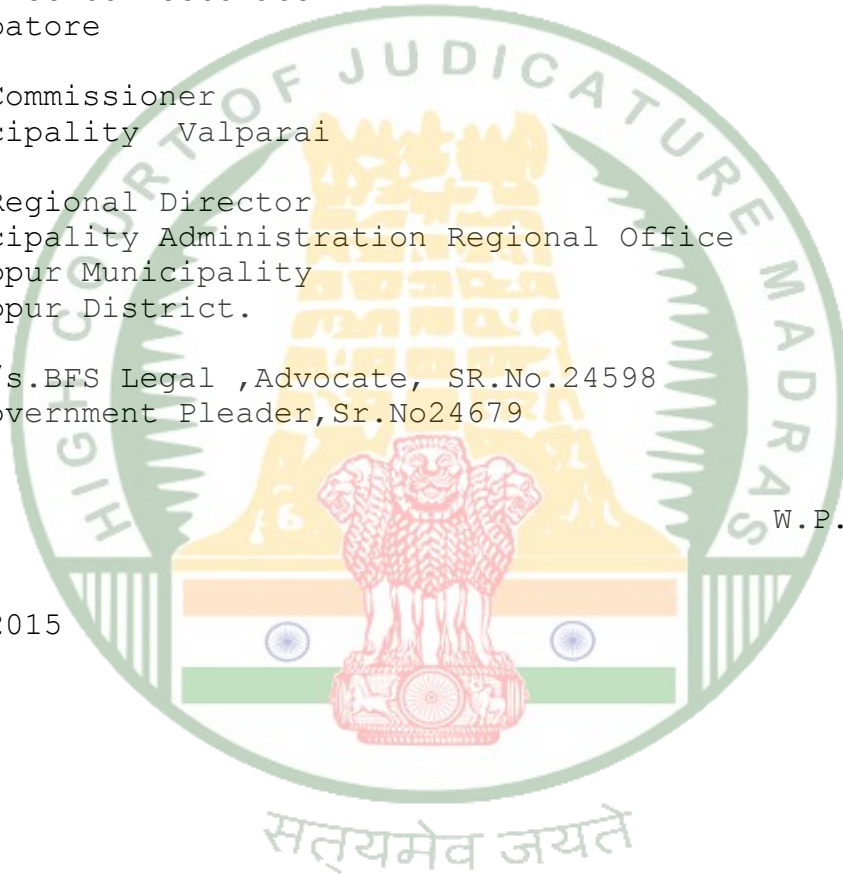
5 The Regional Director
Municipality Administration Regional Office
Tiruppur Municipality
Tiruppur District.

1 cc to M/s.BFS Legal ,Advocate, SR.No.24598

1 cc to Government Pleader,Sr.No24679

tej (co)
pmk.12.5.2015

W.P.No.13633 of 2015



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