

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.01.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

WP.No.1925 of 2015
and MP.No.1 of 2015

P.Appusamy .. Petitioner

Versus

- 1.The Secretary to Government
Municipal Administration
St George Fort, Chennai-9.
- 2.The Director of Town Panchayat
Kuralagam, Chennai 108.
- 3.The District Collector/Inspector of Panchayat
Erode District, Erode.
- 4.The Revenue Divisional Officer,
Salem.
- 5.T.Senthilkumar .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 to 4 to remove the 5th respondent from the post of President of Ammapet Town Panchayat, Ammapet, Erode District.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.R.Vijayakumar, AGP

ORDER

Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for respondents 1 to 4. Since the writ petition is disposed of at the admission stage itself, the merits of the allegations made by the petitioner as against the fifth respondent are not gone into and left open to be decided by the third respondent, the District Collector/Inspector of Panchayat, Erode District, Erode.

2. The petitioner seeks a direction upon the respondents 1 to 4 to remove the 5th respondent from the post of President of Ammapet Town Panchayat, Ammapet, Erode District.

3. According to the petitioner, he is a resident of the Ammapettai Town Panchayat and has lodged a complaint stating that the fifth respondent has given a false Community Certificate stating that he is a Scheduled Tribe. In this regard, representations were also given to the State Election Commission, which has been forwarded to the District Collector by the Secretary of the State Election Commission vide proceedings dated 06.08.2014 to take appropriate action. The petitioner would further state that the fifth respondent's son has been admitted to the Kongu Polytechnic College, Perundurai and his Community Certificate shows that he is belonging to a backward class community, viz., Hindu Reddy Kanjam. The petitioner would further contend that the District Adi Dravidar Welfare Officer, Erode District has forwarded the complaint made by the petitioner to the District Collector vide his proceedings dated 24.11.2014. Since, so far no action has been taken up by the respondents, the petitioner is before this Court.

4. In the light of all the above communications, which appears to be inter-departmental communication, the third respondent shall act on those directions issued by the authorities and keep the petitioner informed as to the action initiated. The third respondent, shall afford an opportunity of hearing to the fifth respondent, before taking any action in the matter. The above direction shall be complied with by the third respondent as expeditiously as possible.

5. The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1.The Secretary to Government
Municipal Administration
St George Fort, Chennai-9.

2.The Director of Town Panchayat
Kuralagam, Chennai 108.

3.The District Collector/Inspector of Panchayat
Erode District, Erode.

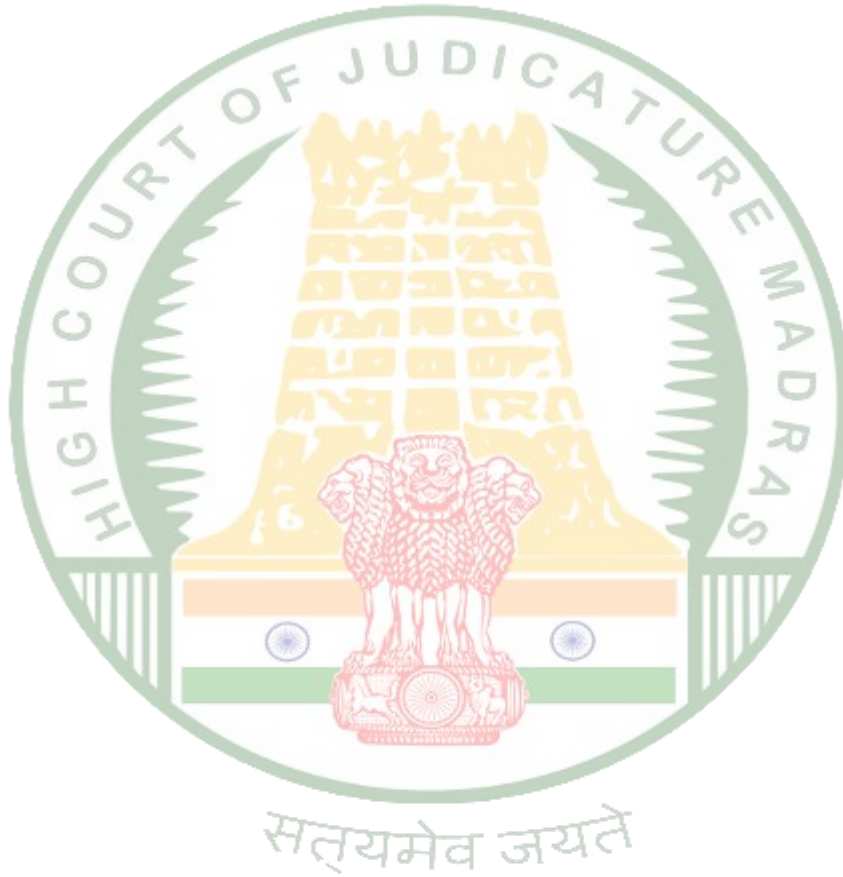
4.The Revenue Divisional Officer,
Salem.

1 cc to Government Pleader, Sr. 4786

WP.No.1925 of 2015

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