

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2015

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.21865 of 2015

A.Edison

[ Petitioner ]

Vs

- 1 The District Collector  
Kanchipuram.
- 2 The Block Development Officer  
Block Development Office Acharapakkam  
Maduranthagam Kanchipuram District.
- 3 Mrs. Gomathi Elangovan  
Panchayat President Edayalam Village  
Maduranthagam Taluk Kanchipuram District. [Respondents ]

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the 1st respondent to initiate action against the 3rd respondent the Village Panchayat President 106 Edayalam Village Kancheepuram District for the irregularities and corruption committed by Respondent in the Ward No.106 Edayalam Panchayat.

For petitioner : Mr.P.Anbazhagan  
For respondents: Mr.A.Kumar, SGP (R1)  
Mr.R.Rajendra Narasimhan (R2&3)

O R D E R

Heard the learned counsel for the petitioner, Mr.A.Kumar, learned learned Special Government Pleader, who took notice for the 1st respondent and Mr.R.Rajendra Narasimhan, who took notice for the 2nd and 3rd respondents and with their consent, the main writ petition itself is taken up for disposal.

2. This writ petition has been filed by A.Edison under Article 226 of the Constitution of India for the issuance of a writ of mandamus to direct the 1st respondent to initiate action against the 3rd respondent, the Village Panchayat President, 106, Edayalam Village, Kancheepuram District, for the irregularities and corruption committed by the respondent in the Ward No.106 Edayalam Panchayat.

3. Learned counsel appearing for the petitioner would submit that after successfully contesting the local body election in the year 2011, the 3rd respondent has allowed her husband to act as Panchayat President in her village. But, the 3rd respondent, never taken any steps to provide the basic amenities like water supply, street lights, streets and newly forming play grounds for the students. On the other hand, she has been indulging in several irregularities with the help of her relatives and whenever anybody questions the illegal activities of the 3rd respondent, she used to threaten with the help of the local police by saying that she will implicate them with a false case and send them to jail. In this background, the petitioner has made a complaint stating that the 3rd respondent has encroached the Government Poramboke Land and obtained patta in her relative name. That apart, the 3rd respondent has also been allotted a house in the name of her sister Sargunam, W/o Shanmugam, Hemalatha D/o Ragupathi. But, when all these irregularities were brought to the notice of the official respondents, they have not been answered. Therefore, the petitioner has come before this Court.

4. Learned Special Government Pleader, appearing for the 1st respondent, opposing the above prayer submitted that the petitioner has come before this Court by filing this writ petition under Article 226 of the Constitution of India by raising a common issue instead of filing a Public Interest Litigation. That apart, nowhere the petitioner has made any specific complaint with regard to the nature of irregularities committed by the 3rd respondent or the specific place encroached by obtaining patta by the 3rd respondent. Therefore, it is not a fit case for interference by this Court.

5. This Court fully agrees with the submissions made by the learned Special Government Pleader. As he rightly mentioned, nowhere the petitioner has made out any specific complaint against the 3rd respondent and has made only vague allegations. Thus, when the petitioner has only mentioned that the 3rd respondent has encroached upon the Government land and obtained patta in her relative name, it is not known as to how this Court can interfere, by accepting such a vague allegation. Therefore, finding no merits in this writ petition, this Court is of the view that the same cannot be entertained.

6. Accordingly, the writ petition fails and the same is dismissed. No costs.

rg

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

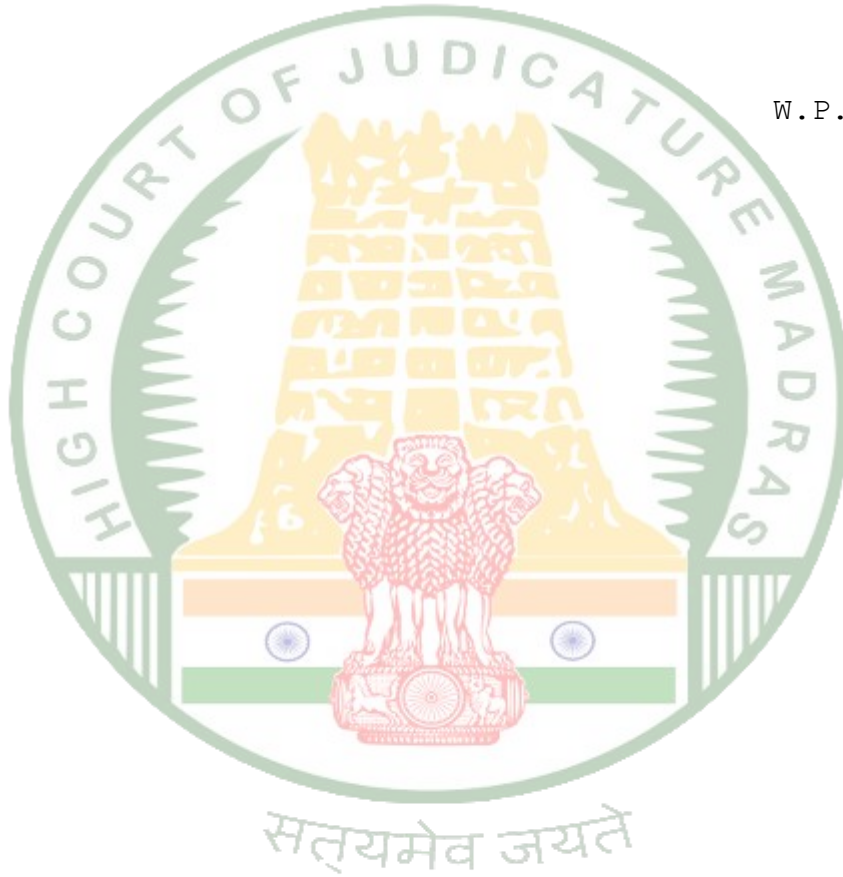
To

- 1 The District Collector  
Kanchipuram.
- 2 The Block Development Officer  
Block Development Office Acharapakkam  
Maduranthagam Kanchipuram District.

+ 1 cc to Mr.P.Anbazhagan, Advocate SR 37671

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