

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-03-2015

CORAM :

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

WP No. 27138 of 2014

and

M.P. No. 1 of 2014

Koladasapuram Village Panchayat
rep. by its President
S. Swathi Govardhan
Hosur Union, Hosur Taluk
Krishnagiri District 635 105

... Petitioner

Versus

1. The Additional Chief Secretary
to Government of Tamil Nadu
Fort St. George,
Chennai - 600 009
2. The Commissioner of Rural Development
and Panchayat Raj
Chepauk,
Chennai - 600 005
3. The District Collector
Collectorate
Krishnagiri District
4. The Assistant Director of Panchayat
Collectorate
Krishnagiri District सत्यमेव जयते
5. The Block Development Officer (Scheme)
Village Panchayat
Hosur Union Office
Hosur, Krishnagiri 635 109

... Respondents

Petition filed under Article 226 of The Constitution of India
praying for a Writ of Mandamus directing the respondents 3 to 5 to
dispose the petitioner's representation dated 25.02.2013 in
accordance with law.

For Petitioner : Mr. V. Pavel

For Respondent : Mr. R. Vijayakumar
Additional Government Pleader for RR1 to 4
Mr. E. Manikandan for R5

ORDER

Heard the learned counsel appearing for the parties and perused the material records.

2. The petitioner seeks for a direction to the respondents 1 to 3 to consider and pass orders on her representation dated 25.02.2013.

3. The Petitioner is the President of Koladasapuram Village Panchayat. In the representation submitted by the petitioner on 25.02.2013, several allegations have been made by her stating that the Vice-President of the Village Panchayat namely Mr. C. Srinivasan is not cooperating with the petitioner and other members in carrying out the Panchayat work as a result of which the entire development activities in the panchayat has come to a stand still. On the basis of such representation submitted by her, as there is no action taken by the respondents 1 to 3, she has come forward with this writ petition.

4. Though several allegations have been made by the petitioner against Mr. C. Srinivasan, Vice President of the Village Panchayat, he is not impleaded as a respondent in this writ petition and therefore the correctness or otherwise of the allegations made by the petitioner against the Vice President of the Village Panchayat cannot be gone into by this Court. In any event, the grievance expressed by the petitioner is that the developmental activities of the panchayat could not be carried out due to the non-cooperation of the Vice-President on various issues.

5. In the light of the above, without expressing any opinion on merits, there will be a direction to the fourth respondent to assess the entire situation in so far as the Koladasapuram Village Panchayat is concerned, ascertain the cooperation or non-cooperation between the members and the Vice President of the Panchayat and also whether the development activities could not be carried out, as alleged by the petitioner. The fourth respondent is further directed to conduct an enquiry in this regard by affording opportunity of hearing to the petitioner, Vice-President of the Village Panchayat and other members of the Village Panchayat and forwarded a report thereof to the third respondent within a period of six weeks from the date of receipt of a copy of this order to enable the third respondent to proceed further in accordance with law.

6. With the above direction, the writ petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsh

To

1. The Additional Chief Secretary
to Government of Tamil Nadu
Fort St. George, Chennai - 600 009
2. The Commissioner of Rural Development
and Panchayat Raj
Chepauk, Chennai - 600 005
3. The District Collector
Collectorate
Krishnagiri District
4. The Assistant Director of Panchayat
Collectorate
Krishnagiri District
5. The Block Development Officer (Scheme)
Village Panchayat
Hosur Union Office
Hosur, Krishnagiri 635 109

+1cc to M/s.Pavel G.N.Kamaraj, Advocate, S.R.No.16236

+1cc to the Government Pleader, S.R.No.16351

PPA(CO)
CA(06/04/2015)

WP No. 27138 of 2014