

In the High Court of Judicature at Madras

Dated: 26.08.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition No. 25887 of 2015

M. Narayanan

.. Petitioner

vs.

1. The District Collector
Kanchipuram District, Kanchipuram.
2. The Joint Director
Office of Town Panchayats
The District Collector Office
Kanchipuram.
3. The Executive Officer
Sriperumbudur Panchayat Union
Sriperumbudur
Kanchipuram District.
4. Parimala
5. Kumar

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing respondents 1 to 3 herein to consider the petitioner's representation dated 18.06.2015 and take action against the 4th respondent and ensure that there is no encroachment / obstruction on the public road pertaining to S.Nos. 1465, 1464, 1379, 1380, 1381, 1384, 1387 and 1388 in Sriperumbudur Village and Taluk, Kanchipuram District and S.No.1389 in Sanarpalayam Village, Sriperumbudur Taluk, Kanchipuram District.

For Petitioner : Mr. B. Ramesh Babu

For Respondents : Mr. S.T.S. Murthi, Govt. Pleader
assisted by Mr.V.Shanmugha Sundar
Govt. Advocate for R1 to R3.

O R D E R

(Made by The Hon'ble The Chief Justice)

This is one more petition, where the only reason for the petitioner to approach the Court is the failure of the respondents-authorities to respond to the representation. The subject matter is not so complicated, in that the allegation is that the President of the Panchayat Union has dug up a public road for his own use, causing difficulty in free flow of traffic on the road. The representation in this behalf was made on 18.06.2015 and one would have expected the matter to have been redressed by now. The result of the inaction is that the Court is called upon to do the job only of disposal of the representations - there are invariably at least a couple of such matters every day.

2. We see no reason why there should not be a prompt response by the Officer concerned, who in this case is stated to be the third respondent by the learned Government Pleader. We have repeatedly called upon the respondents-authorities to have a mechanism for responding to the representations made to them within a stipulated time and two months cannot be stated to be inadequate time for the task at hand.

3. We, thus, direct as under:

1. The representation dated 18.06.2015 be disposed of by the third respondent, after notice to all concerned, within fifteen days of receipt of this order.
2. The District Collector/first respondent to hold an enquiry and submit a report to this Court as to why no action was taken for more than two months.
3. The matter be brought to the notice of the Chief Secretary to once again emphasize that if no remedial measures are taken, in order to make Officers accountable, this Court would be constrained to impose costs for inaction of the Government and wastage of judicial time in such matters.

4. Needful be done within a month. Thereafter, the aforesaid direction will start operating.

5. The writ petition accordingly stands disposed of. No costs.

6. List for compliance on 05.10.2015.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ATR

To;

1. The District Collector
Kanchipuram District, Kanchipuram.
 2. The Joint Director
Office of Town Panchayats
The District Collector Office
Kanchipuram.
 3. The Executive Officer
Sriperumbudur Panchayat Union
Sriperumbudur
Kanchipuram District.
 4. The Chief Secretary to Government
Fort St. George, Chennai-9
 5. The Section Officer
Writ Section,
High Court, Madras
- 1 cc to Government Pleader, SR. 45838

W.P. No. 25887 of 2015

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