

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.28368 of 2014

Mrs.Banumathi Duraisamy

... Petitioner

vs.

The Inspector of Panchayats &
District Collector,
Vellore District, Vellore.

... Respondent

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pass orders on the petitioner's representation dated 15.09.2014.

For Petitioner : Mr.Palani Selvaraj
For Respondent : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

Heard Mr.Palani Selvaraj, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondent.

2.The petitioner has filed this writ petition seeking for issuance of Writ of Mandamus directing the respondent to pass orders on the petitioner's representation dated 15.09.2014.

3.Petitioner is the elected President of the Athiyur Panchayat, Sivananthapuram Village. The petitioner was di-vested of the powers to sign the cheques of the Panchayat as a joint signatory by virtue of the order dated 13.05.2013 and the same was entrusted with the BDO as a temporary measure. By the representation dated 15.09.2014, the petitioner now seeks for review of the decision and since the representation has not been considered, the petitioner has approached this Court.

4.The petitioner would place reliance on another order passed in respect of another Panchayat by the District Collector, Vellore where the Panchayat President alone was granted powers to sign the cheques in respect of the Arimuthumottur Panchayat in Katpadi Panchayat Union. The members of the said Panchayat namely Arimuthumottur Panchayat in Katpadi Panchayat Union filed writ petition before this Court challenging the said order in W.P.No.5897 of 2013 and the said writ petition was dismissed by this Court holding the order passed by the District Collector, whereby, the President alone was granted full power to sign the cheques in his individual capacity was upheld.

5.Petitioner seeks for similar direction in their case also and has made a representation dated 15.09.2014 before the first respondent which is pending consideration.

6.In the light of the above, the first respondent is directed to pass appropriate orders on the representation dated 15.09.2014, made by the petitioner, after hearing the petitioner as well as after ascertaining the view of all the members of the Panchayat, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

7.This writ petition is disposed of with the above observations. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Panchayats &
District Collector,
Vellore District, Vellore.

1 cc to Government Pleader, Sr.No9968

1 cc to M/s.Palani Selvaraj, Advocate, SR.No.100068

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ppa (co)
pmk.12.3.2015