

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P.No.32395 of 2015

K. Subramaniam

... Petitioner

vs.

1 The District Collector,
Coimbatore District,
Coimbatore 641 018

2 The Assistant Director
Directorate of Panchayat,
Office of the District Collector,
Coimbatore 641 018.

3 The Tahsildhar (Rev)
Madukkarai,
Coimbatore District.

4 The Executive Officer
Ettimadi Panchayat,
Coimbatore.

5 Chellakutti

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider the representation dated 07.02.2014, 03.7.2015 and 03.8.2015 of the petitioner within time frame fixed by this court.

For petitioner : Mr. M. Habeeb Rahman

For respondents : Mr. N. Sakthivel
Govt. Advocate - R1 to R3
Mr. D. Suryanarayanan - R4

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Mr. N. Sakthivel, learned Government Advocate, accepts notice for the respondents 1 to 3. Mr. D. Suryanarayanan, learned counsel, accepts notice for the fourth respondent. Notice to the fifth respondent is dispensed with at this stage as no adverse order is passed against him. Thus, with the consent of the learned counsel for the petitioner and the learned counsel for the official respondents, this writ petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition is filed for a direction to the official respondents to consider the representations dated 07.02.2014, 03.07.2015 and 03.08.2015, wherein, the petitioner has sought implementation of the resolution of the fourth respondent-panchayat.

3. In the instant writ petition, several issues have been raised viz., (i) whether a direction to implement the resolution of the Village Panchayat at the instance of a private person, can be issued; (ii) whether the resolution by itself is binding on the authorities and (iii) whether a writ of mandamus seeking a direction to implement the resolution, is maintainable.

4. Learned Government Advocate appearing for respondents 1 to 3 submits that the authorities are in seisin of the petitioner's representations and considering the same in accordance with law and on merits.

5. In view of the foregoing, we are not inclined to consider the aforestated issues in the instant petition. We accordingly dispose of the writ petition with the expectation that decision will be taken by the authorities, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

ra

सत्यमेव जयते

Sd/-

Assistant Registrar (CS-II)

WEB COPY

/True Copy/

Sub-Assistant Registrar

To

- 1 The District Collector,
Coimbatore District,
Coimbatore 641 018
- 2 The Assistant Director
Directorate of Panchayat,
Office of the District Collector,
Coimbatore 641 018.
- 3 The Tahsildhar (Rev)
Madukkarai, Coimbatore District.
- 4 The Executive Officer
Ettimadi Panchayat,
Coimbatore.

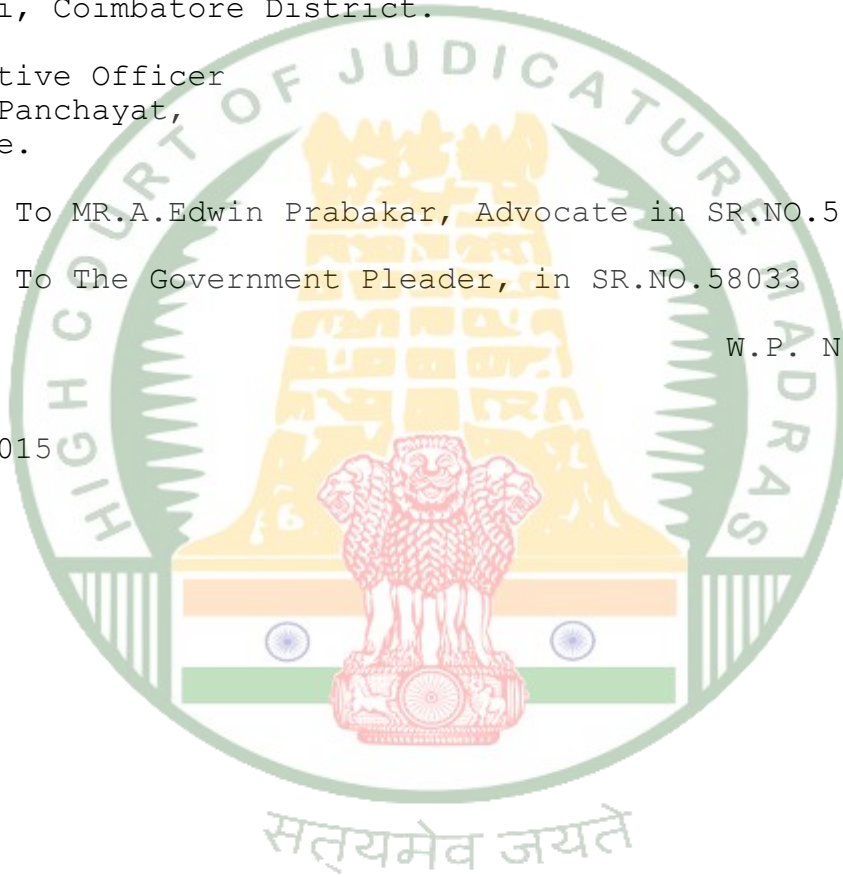
+1 C.C. To MR.A.Edwin Prabakar, Advocate in SR.NO.58455

+1 C.C. To The Government Pleader, in SR.NO.58033

W.P. No.32395 of 2015

TM(CO)

sd : 04/11/2015



WEB COPY