

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2015

CORAM :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.39854 of 2015 and MP.No.1 of 2015

P.Appusamy

...Petitioner

Vs

1.The Director of Town Panchayat
Kuralagam, Chennai.

2.The Assistant Director of Town
Panchayat, Collectorate, Erode Dist.

3.T.Senthil Kumar

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to take necessary action against the third respondent on the basis of the report submitted by the second respondent in his proceedings in Na.Ka.No.4865/ 2015/P3 dated 11.8.2015.

For Petitioner : Mr.C.Prakasam

For Respondents 1 & 2 : Mr.R.Rajeswaran, SGP

ORDER

Mr.R.Rajeswaran, learned Special Government Pleader takes notice for respondents 1 and 2. Heard the learned counsel for the petitioner. Considering the nature of relief to be granted, the writ petition itself is taken up for final disposal without ordering notice to the third respondent.

2. The petitioner, who is a resident of Ammapettai Town Panchayat, has filed the above writ petition seeking a direction to the first respondent to consider the report of the second respondent dated 11.8.2015 and pass appropriate orders.

3. The allegation is against the third respondent, who is the president of the town panchayat. However, since the writ petition is being disposed of without notice to the third respondent, the merits of the allegations made against the third respondent are not gone into.

4. If the second respondent has already submitted a report to the first respondent, it would be appropriate for the first respondent to consider the same and proceed in accordance with law and the matter should not be kept in cold storage. In this regard, the petitioner already made a representation to the first respondent on 19.10.2015. But, nothing has transpired. Therefore, the petitioner is before this Court.

5. In the light of the above, without going into the merits of the allegations made by the petitioner against the third respondent, the writ petition is disposed of with a direction to the first respondent to consider the petitioner's representation dated 19.10.2015 on merits, take note of the report of the second respondent dated 11.8.2015 and after notice to all concerned including the petitioner and the third respondent, pass appropriate orders in accordance with law, within a period of four months from the date of receipt of a copy of this order. No costs. Consequently, the above MP is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

RS

To

- 1.The Director of Town Panchayat,
Kuralagam, Chennai.
- 2.The Assistant Director of Town Panchayat,
Collectorate, Erode District.

+ 1 cc to Mr.Government Pleader Sr.68309

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and MP.No.1 of 2015

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