

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.7752 of 2015

R.Baskaran

...Petitioner

Vs

1. The Inspector of Panchayat & District Collector,
Office of the District Collector,
Namakkal District
2. The Block Development Officer
Village Panchayat, Erumapatti Block,
Namakkal Taluk, Namakkal District
3. The President,
Muttanchetty Panchayat,
Erumapatti Block, Namakkal District

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to pass orders on the representation dated 02.03.2015 of the petitioner by taking appropriate action against the 3rd respondent in accordance with law and to recover the amounts due to the Muttanchetti Village Panchayat within the time frame to be fixed by this Court.

For Petitioner : Ms.S.Rajeni Ramadoss

For Respondents : Mr.R.Vijayakumar for R1 and R2
Additional Government Pleader

Mr.K.V.Dhanapalan for R3
Additional Government Pleader

O R D E R

Heard Ms.S.Rajeni Ramadoss, learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader for

first and second respondents and Mr.K.V.Dhanapalan, learned Additional Government Pleader for third respondent. With the consent of either side the Writ petition itself is taken up for final disposal at the admission stage.

2. The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus directing the 1st respondent to pass orders on the representation dated 02.03.2015 of the petitioner by taking appropriate action against the 3rd respondent in accordance with law and to recover the amounts due to the Muttanchetti Village Panchayat.

3. The petitioner is an elected ward member of Muttanchetti Village Panchayat, Namakkal District and the 3rd respondent is the president of the Panchayat. The allegation is that the 3rd respondent has caused revenue loss to the Panchayat and the loss caused by him is quantified at Rs.1,54,346/- by the proceedings of the 2nd respondent dated 10.12.2014 communicated to the 3rd respondent. In the said proceedings, the 2nd respondent has advised the 3rd respondent to remit the amount failing which informed that action is liable to be initiated under Section 205 of Tamilnadu Panchayat Act.

4. The petitioner would state that till date, the order has not been complied with and the authority namely, 1st and 2nd respondents have also not taken any action. In this regard a representation submitted by the petitioner is pending before the 1st respondent.

5. In the light of the above there shall be a direction to the 1st respondent to consider the petitioner's representation after issuing notice to the petitioner, other Ward Members of the Village Panchayat, 3rd respondent, namely, President of the Village Panchayat and the Vice President as well as the 2nd respondent and after hearing all the parties, shall pass a speaking orders as expeditiously as possible. Since the merits of the contentions raised by the petitioner are not gone into and a direction has been issued only to consider the petitioner's representation on merits, notice to the 3rd respondent is dispensed with.

With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

ssd

To

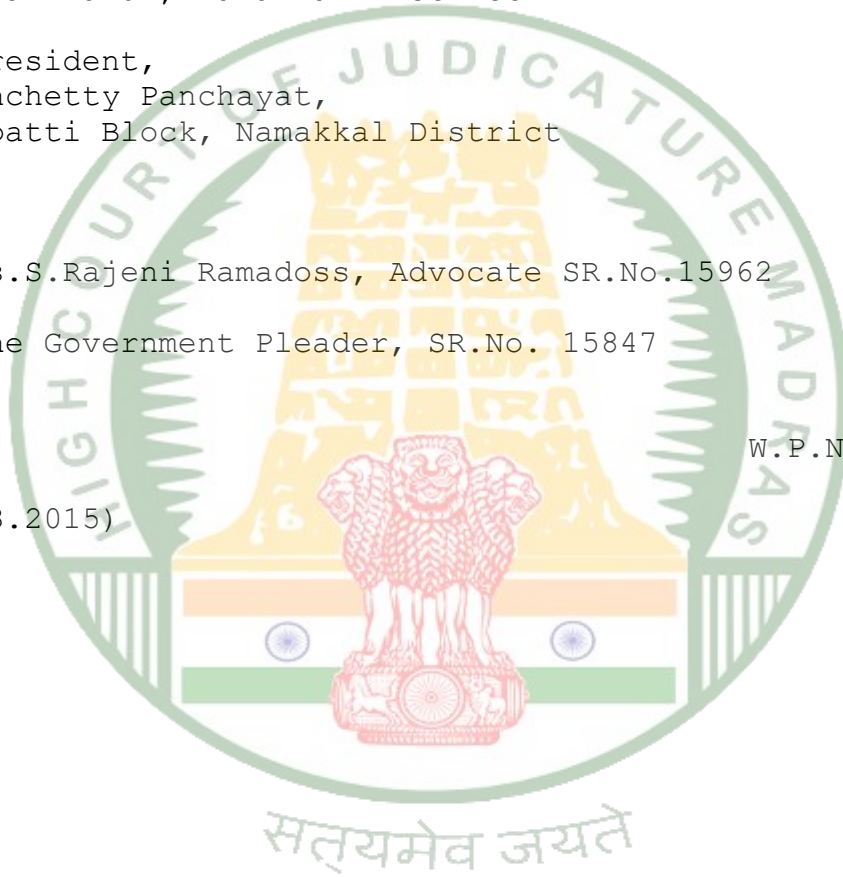
1. The Inspector of Panchayat & District Collector,
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Namakkal District
2. The Block Development Officer
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3. The President,
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Erumapatti Block, Namakkal District

1 CC to Ms.S.Rajeni Ramadoss, Advocate SR.No.15962

1 CC to the Government Pleader, SR.No. 15847

SK (CO)
PSI (27.03.2015)

W.P.No.7752 of 2015



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