

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.26285/2013

K.Gunasekaran

..

Petitioner

Versus

1.The District Collector
Salem District,
Salem 636001.

2.A.P.Mani

..

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the 1st respondent to consider the petitioner's representation dated 17.09.2012.

For Petitioner : Mr.P.Jagadeesan

For R1 : Mr.S.Gunasekaran, GA

For R2 : Mr.P.Rajavel

ORDER

Heard Mr.P.Jagadeesan, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing for the 1st respondent and Mr.P.Rajavel, learned counsel appearing for the 2nd respondent and perused the materials available on record.

2.The petitioner seeks for issuance of a writ of mandamus to direct the 1st respondent to consider the petitioner's representation dated 17.09.2012.

3.The petitioner has made certain allegations against the 2nd respondent and submitted a representation to the 1st respondent. Based on the representation, the District Collector, vide proceedings dated 05.10.2012 directed the Block Development Officer to conduct an enquiry into the matter. Accordingly, the Block Development Officer issued notice to the petitioner and to one Chockalingam who is also another complainant. However, from the notice dated 30.05.2013 issued by the Block Development Officer, Ayodyapattinam, it is seen that no notice has been issued to the 2nd respondent. However, before ordering any enquiry or submitting any report, the aggrieved person, viz., the 2nd respondent should be heard in the matter. Without hearing the 2nd respondent, no action

can be initiated to consider the petitioner's representation after issuing notice to the petitioner as well as the 2nd respondent and thereafter, pass orders on merits and in accordance with law as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

4.The writ petition is disposed of with the above direction.
No costs.

Sd/-
Asst.Registrar (Lok adalat)

/true copy/

Sub Asst. Registrar

AP

To

The District Collector
Salem District, Salem 636001.

1 cc to mr.P. Jagadeesan, Advocate, Sr. 9363
1 cc to Government Pleader, Sr. 9438
1 cc to mr.P. Rajavel, Advocate, Sr. 9506

WP.No.26285/2013

VD (CO)
kk 4/3

सत्यमेव जयते

WEB COPY