



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.02.2015
CORAM:

THE HONOURABLE DR. JUSTICE S. TAMILVANAN
and
THE HONOURABLE MR. JUSTICE V. S. RAVI

W.P. (MD) No. 2717 of 2015
and
M.P. (MD) No. 1 of 2015

A. Murugan

... Petitioner

Vs.

1. The District Collector cum Inspector of Panchayats,
Pudukkottai District,
Pudukkottai.
2. The Assistant Director of Panchayats,
Pudukkottai District,
Pudukkottai.
3. The Block Development Officer,
Thirumayam Panchayat Union,
Thirumayam,
Pudukkottai District,
Pudukkottai.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to look into the malpractices and illegality committed by the third respondent in doing development process or works in Thirumayam Panchayat based on the petitioner's representation dated 20.01.2015 and 13.02.2015.

For Petitioner : Mr. Rengaraj

For Respondents : Mr. B. Pugalandhi, Spl. G.P.

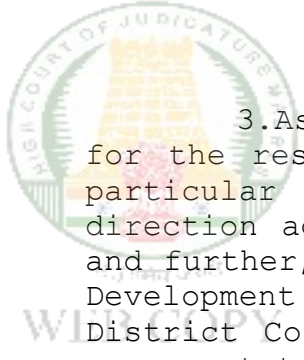
O R D E R

(Order of this Court was made by **S. TAMILVANAN, J.**)

The Writ petition has been filed by the petitioner under Article 226 of the Constitution of India, seeking an order in the nature of Writ of Mandamus, directing the District Collector cum Inspector of Panchayats, the first respondent herein, to look into the malpractices and illegality committed by the Block Development Officer, Thirumayam Panchayat, the third respondent herein, in doing development process or works in Thirumayam Panchayat based on the petitioner's representation dated 20.01.2015 and 13.02.2015.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.



3.As contended by the learned Special Government Pleader appearing for the respondents even the petitioner has not stated the name of any particular Block Development Officer. In random, he cannot seek a direction against Block Development Officer on the ground of malpractice and further, if there is any malpractice or illegal act done by any Block Development Officer, as alleged by the petitioner, he should approach the District Collector, the first respondent herein, in person and make his representation, then he approach the Government. However, by simply sending a representation by post, he cannot maintain the Writ petition as it would be a bad precedent creating unreasonable apprehension in the minds of any officer make him amenable to certain powerful persons in the area. It is also seen that there is no supporting documents available even to raise the allegation of malpractice except the alleged representations of the petitioner by post.

4.There is no prima facie case made out and as there is alternative remedy available to the petitioner, we are of the view that the Writ petition is not legally sustainable.

5.Accordingly, the Writ petition is dismissed. However, we make it clear that it is open to the petitioner to approach the appropriate authority if need be and seek legal redressal according to law.

No costs. Consequently, connected M.P.is closed.

Sd/

Assistant Registrar(CO)

/True copy/

sub Assistant Registrar(c.s)

To

1.The District Collector cum Inspector of Panchayats,
Pudukkottai District, Pudukkottai.

2.The Assistant Director of Panchayats,Pudukkottai District,
Pudukkottai.

3.The Block Development Officer, Thirumayam Panchayat Union,
Thirumayam,Pudukkottai District, Pudukkottai.

+1cc to THE SPL.GOV.T.PLEADER SR.NO.9615

W.P. (MD) No.2717 of 2015
27.02.2015

NBJ

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