

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.Nos.10331 of 2016

S.Rangaraj

..Petitioner

Vs.

1.The Principal Secretary to Government,
Rural Development and Panchayatraj Department,
Secretariat, Chennai - 600 009.

2. The District Collector,
District Collectorate,
Coimbatore - 641 018.

3. Mrs.T.R.Indirani,
The Village Panchayat President,
Tholam Palayam village,
Mettu Palayam Taluk,
Coimbatore - 641 113.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st and 2nd respondents herein to take appropriate action as against the 3rd respondent herein in accordance with law on considering the petitioner's final representation dated 21.01.2016 within a stipulated period of time.

For Petitioner : Mr.B.Ganesha Moorthy

For Respondents : Mr.R.Razeswaran,
Spl.Govt.Pleader

ORDER

Heard the learned counsel for the petitioner and Mr.R.Razeswaran, Special Government Pleader, who accepts notice for respondents 1 and 2.

2. The petitioner, claiming himself to be a resident of Tholam Palayam village, has filed this writ petition to direct the 2nd respondent to consider his representation dated

21.1.2016, in which, the petitioner has made several allegations against the 3rd respondent, who is the President of the village Panchayat.

3. The grievance of the petitioner is that though the 2nd respondent - District Collector framed charges against the 3rd respondent and her power to sign the Panchayat Cheques were divested and handed over to the Block Development Officer, subsequently, without considering the seriousness of the matter, the power has been restored in favour of the 3rd respondent by order dated 16.11.2015. On coming to know of it, the petitioner has given several representations pointing out various illegalities, the last of which, having been made on 21.1.2016, which is stated to be pending before the respondents. Since this writ petition has been disposed of at the admission stage without notice to the 3rd respondent, the merits of the allegations made by the petitioner are not gone into and left open to be considered by the 2nd respondent.

4. In the light of the same, the writ petition is disposed of by directing the 2nd respondent to consider the petitioner's representation dated 21.1.2016 after notice to the 3rd respondent and after hearing the 3rd respondent and orders shall be passed thereon on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To:

- 1.The Principal Secretary to Government,
Rural Development and Panchayatraj Department,
Secretariat, Chennai - 600 009,
2. The District Collector, District Collectorate,
Coimbatore - 641 018.

+ 1 cc to Mr.B.Ganesha Moorthy, Advocate Sr 17773
+ 1 cc to The Govt.Pleader, Sr 18681

KR/28/3/16

WP.No.10331/2016