

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2016

CORAM

THE HON'BLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.29360 of 2014

1 V.M.C.Chandrasekar

2 Marathal

3 K.P.Ramuvel

4 P.Rajiappan

5 R.Baby

6 S.Thangavel [PETITIONERS]

Vs

1 The District Collector
Coimbatore District
Coimbatore.

2 The Tahsildar
Sulur Taluk
Sulur, Coimbatore District.

3 Jothimani Ramasamy [RESPONDENTS]

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 and 2 herein to take action against the 3rd respondent herein by considering their representation dated 13.10.2014 and invoking Section 205 of Tamil Nadu Panchayats Act 1994.

For Petitioners .. Mr.R.Prabakar

For Respondents .. Mr.R.M.Muthukumar - R1 & R2
Government Advocate
Mr.S.Thirumavalavan - R3

O R D E R

With the consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. Heard Mr.R.Prabakar, learned Counsel appearing for the petitioners, Mr.R.M.Muthukumar, learned Government Advocate, appearing for the respondents 1 & 2 and Mr.S.Thirumavalavan, learned counsel appearing for the third respondent.

3.The petitioner seeks for issuance of a writ of mandamus to direct the respondents 1 and 2 herein to take action against the third respondent herein by considering their representation dated 13.10.2014 and invoking Section 205 of Tamil Nadu Panchayats Act 1994.

4.Six out of the nine elected ward Members have expressed grievance against the third respondent who is the President of the Section Grade Panchayat. It appears that the Town Planning Authorities have also addressed the Collector regarding the violation said to have been committed by the third respondent. Though notice had been served on the third respondent and they had entered appearance as early as on 01.12.2014 and Mr.R.M.Muthukumar, learned Government Advocate has also entered appearance relatively during the same time, no counter affidavit has been filed till date.

5.It appears that notice has been issued to the third respondent and she has also submitted her explanation, but, there is no further action. If such is the position, the first respondent should take the matter to its logical end within a time frame.

6.In the light of the allegations made, there will be a direction to the first respondent to consider the petitioners representation after notice to the petitioner as well as the third respondent and all other persons who are likely to be affected and pass a reasoned order on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

rpa

To

1 The District Collector
Coimbatore District
Coimbatore.

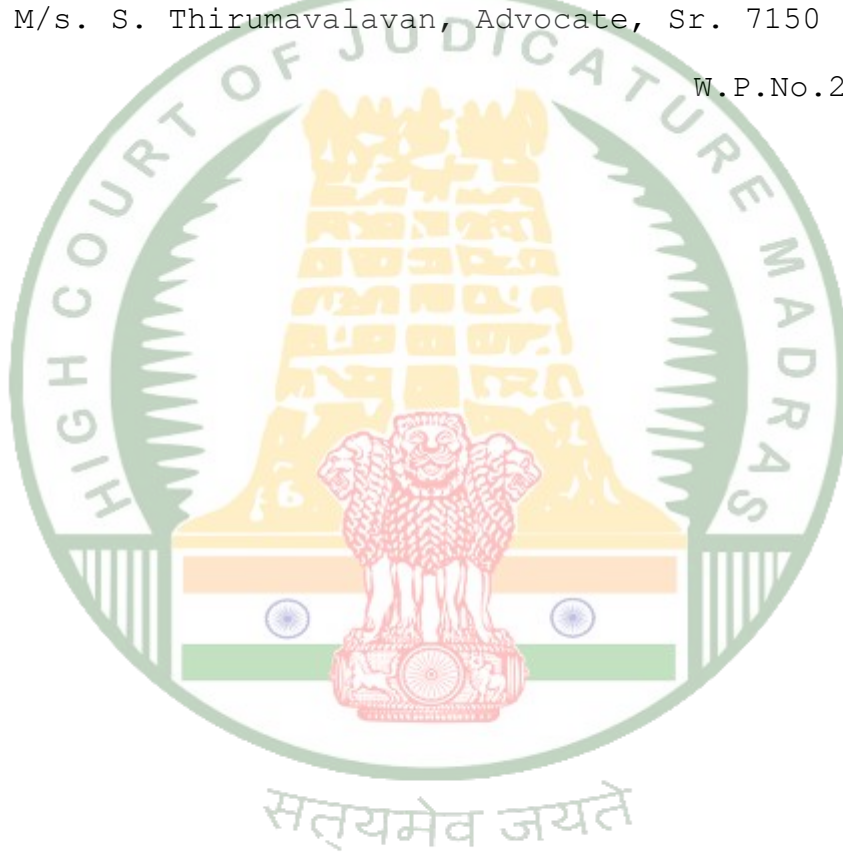
2 The Tahsildar
Sulur Taluk
Sulur, Coimbatore District.

1 cc to M/s. R. Prabakar, Advocate, sr. 6768

1 cc to M/s. S. Thirumavalavan, Advocate, Sr. 7150

W.P.No.29360 of 2014

AD (Co)
kk 5/2



WEB COPY