

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.32811 of 2013

M.Elancheran

... Petitioner

-vs-

- 1.The State of Tamilnadu,
Rep. by the Secretary to Govt.,
Municipal Administration and Water
Supplies Dept., Fort St. George,
Chennai 600 009.
- 2.The Secretary,
Tamilnadu State Election Commission,
No.208/2. Jawaharlal Nehru Road,
Arumbakkam, Chennai 600 106.
- 3.The Commissioner of Municipal Administration,
Ezhilagam Annex, Chepauk,
Chennai 600 005.
- 4.The Director of Vigilance and Anti-Corruption,
Chennai 600 028.
- 5.The Regional Director of Municipal Administration,
Thanjavur.
- 6.The District Collector,
Tiruvarur District, Tiruvarur.
- 7.The Chairman,
Thiruthuraipoondi Municipality,
Thiruthuraipoondi, Thiruvarur District.
- 8.The Vice Chairman,
Thiruthuraipoondi Municipality,
Thiruthuraipoondi, Thiruvarur District.

9.N.Shankaran
The Then Commissioner,
Thiruthuraipoondi Municipality,
Thiruthuraipoondi, Thiruvarur District.

10.Uma Maheswari

11.R.S.Pandian

(RR10 and 11 impleaded as per Order
dt.12.12.2013 in MP.1/2013)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct 1st and 2nd respondents to take appropriate action against respondents 7, 8 and 9 namely the Chairman, Vice-Chairman, and the then Commissioner of Thiruthuraipoondi Municipal Council for misappropriation of Government funds by falsely claiming Bills without there being any work done or for the work done by anybody and not by the Municipality.

For Petitioner : Mr.A.R.Suresh
For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.Shanmugasundar, G.A.
For RR 1 and 3 to 8
: Mr.B.Nedunchezian for R-2
: No appearance for RR 9 to 11

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner seeks to raise the issue of impropriety in allotting some work by respondents 7 to 9, which work already stood completed. The counter-affidavit of the ninth respondent shows that the endeavour of the petitioner is clearly an attempt to pressurise the concerned officers as proceedings were taken against him in the year 2008 on account of the possession of a land. That matter went to the High court, which remitted the matter back for consideration in 2011 and ultimately, the building permission granted to the petitioner was cancelled and further action for demolition of the unauthorised construction was taken up.

2.We find that the petitioner has not even disclosed his past litigation with the very authorities and thus, we are not inclined to entertain the public interest litigation.

3.Writ petition is, thus, dismissed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Secretary to Govt.of Tamilnadu,
Municipal Administration and Water
Supplies Dept., Fort St. George,
Chennai 600 009.
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Tamilnadu State Election Commission,
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- 8.The Vice Chairman,
Thiruthuraipoondi Municipality,
Thiruthuraipoondi, Thiruvarur District.

+1cc to Mr.A.R.Suresh, Advocate Sr.39782
+1cc to the Government Pleader Sr.39561

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gj[co]
srg 28/07/2016