

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.3850 of 2016

S.Gnanasoundari

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Thiruvarur.

2. The Project Director,
District Rural Development Office,
Thiruvarur.

3. Singaravelu

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the first respondent to lodge a complaint based on the report vide Na.Ka.No.6444/2014/A1 (D) dated 17.11.2015 in view of the petitioner's representation dated 02.12.2015.

For Petitioner : Mr.S.Arivazhagan

For R1 & R2 : Mr.P.Sanjay Gandhi,
Additional Government Pleader

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the first respondent to lodge a complaint based on the report in Na.Ka.No.6444/2014/A1 (D) dated 17.11.2015 in view of the petitioner's representation dated 02.12.2015.

2. It is the case of the petitioner that she is the Councilor of Thiruthuraipoondi Panchayat Union. Originally, the petitioner and other councilors preferred a complaint on 18.11.2014 against one Vedhanayagi, who is none other than the

Chairman of said Thiruthuraipoondi Panchayat Union and who along with her husband by name Singaravelu, involved in several illegal and criminal activities by misusing her power. Since no action was taken by the authorities, the petitioner and other councilors have approached this Court by filing a writ petition in WP.No.332 of 2015 to dispose of their representation dated 18.11.2014. Subsequently, an enquiry committee was constituted by the District Collector vide proceedings in Na.Ka.No.6444/2014/A1 (D) dated 11.12.2014 for taking appropriate action. Based on the same, the said writ petition was disposed of, by order dated 09.02.2015. Thereafter, no action has been taken by the authorities, which compelled the petitioner to file Contempt Petition in No.2286/2015. Pursuant to the same, disciplinary proceedings have been initiated and recommendation has been made to the Government for taking appropriate action against the Chairman of Thiruthuraipoondi Panchayat Union by the proceedings in Na.Ka.No.6444/2014/A1 (D) dated 17.11.2015. In view of the same, the contempt petition was closed by order dated 19.11.2015. Thereafter, there was no progress shown by the authorities. Hence, the petitioner made a representation dated 02.12.2015 to the respondents 1 and 2. However, till date, no action has been taken by the respondents. Therefore, the petitioner has filed the present petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who took notice for the respondents 1 and 2.

4. Considering the facts and circumstances of the case, this Court directs the first respondent to consider the representation of the petitioner dated 02.12.2015, by affording an opportunity of personal hearing to the petitioner as well as to the third respondent and other necessary parties, if any and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the first respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rk

To

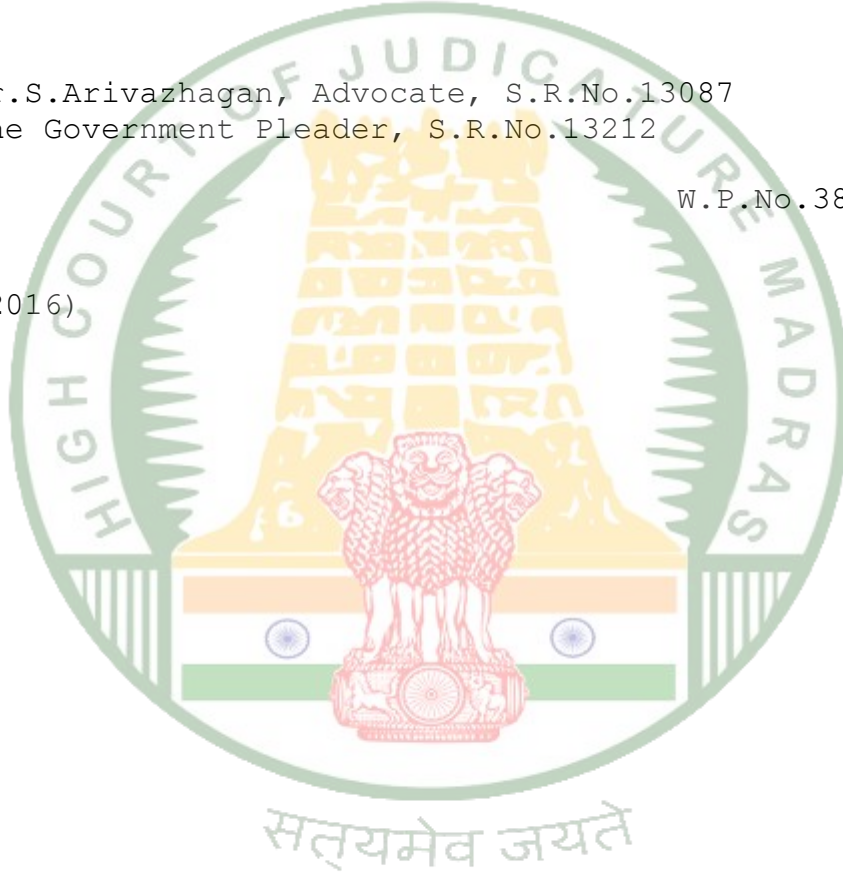
1. The District Collector,
Office of the Collectorate,
Thiruvavarur.
2. The Project Director,
District Rural Development Office,
Thiruvavarur.

+1cc to Mr.S.Arivazhagan, Advocate, S.R.No.13087

+1cc to the Government Pleader, S.R.No.13212

W.P.No.3850 of 2016

SNS (CO)
CA(03/03/2016)



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