

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 02.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.7713 of 2016

K.Devaraj

[PETITIONER]

Vs

- 1 The Director
Directorate of Rural Development & Panchayat Raj
Panagal Building Chennai-600 015.
- 2 The Additional Collector/
Project Director(DRDA)
Collectorate Kancheepuram-631 501.
- 3 The Inspector/The District Collector
Kancheepuram District
Kancheepuram-631 501.
- 4 Tmt.Jansirani Balaji
Panchayat President Irrenkattukottai
Sriperumpudur Taluk
Kancheepuram District-602 117.

[RESPONDENTS]

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondents 1 to 3 to dispose the petitioner's representation dated 14.12.2015 and thereby direct the 3rd respondent to take action under Sections 205 and 234 of the Tamil Nadu Panchayat Act, 1994 by removing the 4th respondent the President and initiating a Surcharge Proceedings against her independently.

For Petitioner : Mr.P.S.Kothandaraman
For Respondents : Mr.M.L.Mahendran-R1 to R3
Government Advocate

O R D E R

Heard Mr.P.S.Kothandaraman, learned counsel appearing for the petitioner and Mr.M.L.Mahendran, learned Government Advocate accepting notice on behalf of respondents 1 to 3. With the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2. The petitioner claiming himself to be a resident of the Irrunkattukottai Village, has filed this Writ Petition, seeking for a direction to the third respondent to take action on his complaint, which he has made against the President of the Village Panchayat, viz. the fourth respondent.

3. It is not known as to how the petitioner has secured details, which have been mentioned in paragraph No.3 of the affidavit filed in support of the Writ Petition, nor it is the case of the petitioner that those information has been secured under the Right to Information Act. Thus, it appears that the present attempt of the petitioner is a proxy litigation on behalf of somebody else, who has given inside information. In any event, if the matter has already been brought to the notice of the District Collector/ Inspector of Panchayats, it is for the said authority to act in accordance with law, for which purpose, no writ of mandamus need be issued that too at the instance of the petitioner.

4. Hence, the Writ Petition is dismissed. It is needless to state that if any information has been received by the Inspector of Panchayats/ District Collector, which is adverse to the welfare of the Panchayats, it is open to the District Collector to proceed in accordance with law. No costs.

rpa

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1 The Director
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+ 1 cc to Mr.P.S.Kothandaraman, Advocate, SR 13447
svi(co)
prk9/3

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