

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.7726 of 2016

B.Gopinath

... Petitioner

Vs.

1. The Principal Secretary to Govt.
Rural Development and Panchayatraj
Department Secretariat Chennai-600 009
2. The District Collector
District Collectorate,
Coimbatore - 641 018.
3. P.R.Rangaraj
The Village Panchayat President,
Marudur Village,
Karamadai, Coimbatore District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of 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 representation dated 27.10.2015 within a stipulated period of time.

For Petitioner :Mr.B.Ganesha Moorthy
For Respondents 1 & 2 :Mr.V.Jayaprakash
Narayanan
Spl. Govt. Pleader
For Respondent -3 :Mr.B.Anandan

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O R D E R

The petitioner has come up with the present writ petition seeking 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 by considering the representation of the petitioner dated 27.10.2015.

2. Petitioner is a B.E.(Mech.) graduate and a member of a voluntary social service organisation (FACT INDIA). Petitioner is a resident of Marudur Village, Karamadai, Coimbatore District. The said Marudur village is verdurous in nature and the entire lands are covered by evergreen agricultural lands and agriculture is the most important livelihood of the village people. The grievance of the petitioner is that the third respondent being the President of Village Panchayat of Marudur Village is violating the norms by issuing No Objection Certificates to the Promoters for converting the agricultural lands to house sites. It is the further contention of the learned counsel for the petitioner that the third respondent has violated the principles laid down in Tamil Nadu Panchayat Building Rules, 1997 and nearly about 300 crores worth of lands i.e., about 1000 acres of lands were illegally approved by the third respondent. In view of the same, apparently there occurred nearly 30 crores revenue loss to the Government. Since because the petitioner is an active member of Federation of Anti Corruption Team, he lodged a complaint on 31.08.2015 to the Superintendent of Police, Vigilance and Anti Corruption Wing, Coimbatore. He also made a representation on 27.10.2015 to the first and second respondent, for taking appropriate action against the third respondent. Since no action is forthcoming, the petitioner has approached this Court.

3. When the writ petition came up for admission, notice was issued to the third respondent and the matter was directed to be listed 'For Orders' today. Today also there is no representation for the petitioner.

4. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2.

5. Considering the facts and circumstances of the case, without going into the merits of the claim of the petitioner, this Court directs the second respondent to consider the representation of the petitioner dated 27.10.2015 on merits and in accordance with law by giving opportunity to the petitioner as well as the third respondent and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

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

+lcc to the Government Pleader sr.25230
+lcc to Mr.B.Ganesha Moorthy, Advocate sr.25182

W.P.No.7726 of 2016

ca (CO)
srg (27/05/2016)



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