

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.8877 of 2016

R.Arjunan

.. Petitioner

Versus

1.The Inspector of Panchayat / The District Collector,
Coimbatore District,
Coimbatore.

2.The Assistant Director of Panchayats,
Collector Office Campus,
Coimbatore, Coimbatore District.

3.A.V.Govindaraj

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the first respondent herein to consider the petitioner's representation dated 01.03.2016 to take action against the third respondent under the provisions of Tamil Nadu Panchayats Act, 1994, within a time frame fixed by this Court.

For Petitioner : Mr.A.Edwinprabakar

For Respondents : Mr.R.M.Muthukumar

Government Advocate for R1 and R2

Mr.L.Chandrakumar for R3

O R D E R

Heard Mr.A.Edwinprabakar, learned counsel appearing for the petitioner, Mr.R.M.Muthukumar, learned Government Advocate, accepting notice for the respondents 1 and 2 and Mr.L.Chandrakumar, learned counsel, accepting notice for the third respondent. With the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2. The petitioner seeks for issuance of a Writ of Mandamus to direct the first respondent to consider his representation dated 01.03.2016 and to take action against the third respondent under the provisions of the Tamil Nadu Panchayats Act, 1994. In fact, the third respondent had filed a Writ Petition before this Court in W.P.No.7021 of 2016, to quash the proceedings of the first respondent dated 16.11.2015 and

consequential proceedings dated 17.12.2016 and to direct the first respondent to afford an opportunity to the third respondent and consider his explanation/reply dated 09.02.2016. The said Writ Petition was disposed of by an order dated 25.02.2016 and the operative portion of the order reads as follows:-

"Accordingly, the Writ Petition is partly allowed and a notice issued by the Tahsildar, Sulur dated 17.02.2016 is quashed and there will be a direction to the first respondent to consider the petitioner's explanation dated 09.02.2016 and thereafter proceed in accordance with the provisions of the Act and Rules."

3. Mr.R.M.Muthukumar, learned Government Advocate appearing for the respondents 1 and 2 submits that the first respondent will comply with the earlier direction. The only problem is because of ensuing elections, the first respondent is busy on election duty and some time limit may be fixed, after the elections are over.

4. The learned counsel for the petitioner's only request is that the first respondent may be directed to complete the proceedings within a time frame and the matter should not be allowed to become infructuous.

5. In the light of the above, there will be a direction to the first respondent to conclude the enquiry and pass final orders on the third respondent's reply to the show cause notice issued, after conducting a proper enquiry on or before 22.07.2016.

With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

r n s

To

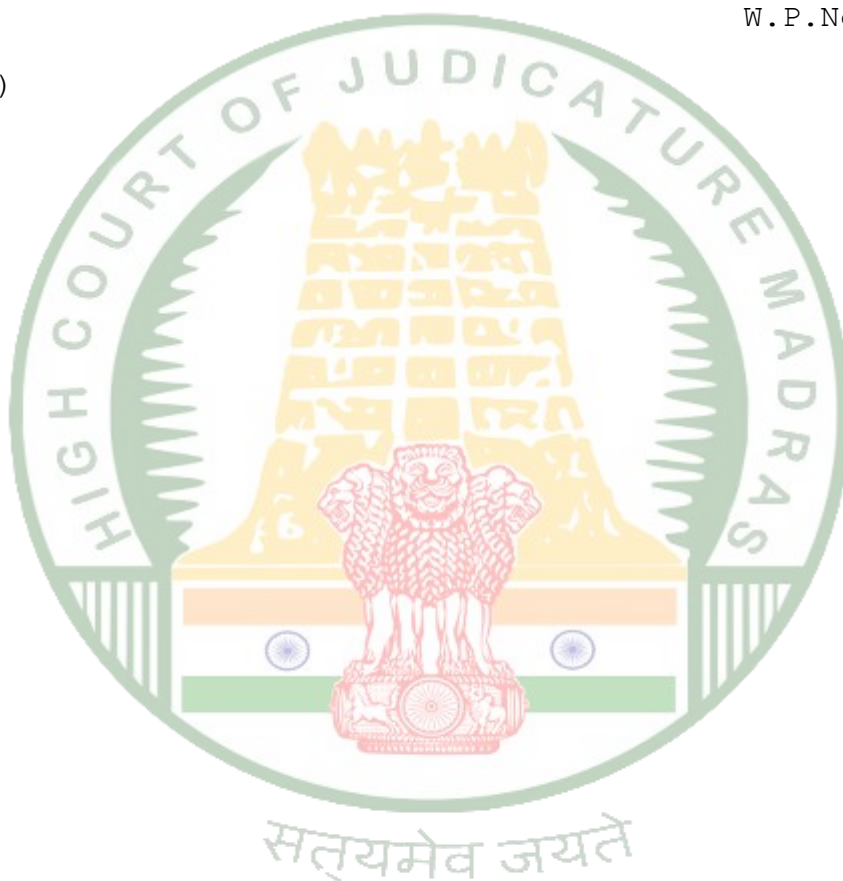
1.The Inspector of Panchayat / The District Collector,
Coimbatore District,
Coimbatore.

2.The Assistant Director of Panchayats,
Collector Office Campus,
Coimbatore, Coimbatore District.

1 cc to Mr.L. Chandrakumar, Advocate,sr. 18484
1 cc to Government Pleader, Sr. 18377

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RSI (CO)
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