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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2016

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) .No.14275 of 2016

and

W.M.P (MD) No.10601 of 2016

S.Suresh @ Jayachandran

... Petitioner/Petitioner

Vs.

- 1.The State of Tamil Nadu
rep. by its
The Secretary to Government,
Rural Development and Panchayatraj
Department,
Secretariat, Fort St. George,
Chennai.
- 2.The District Collector/
Inspector of Panchayat
Office of the District Collector,
Thanjavur District.
- 3.The Panchayat President,
Nanchikottai Village Panchayat,
Thanjavur Taluk,
Thanjavur District.

4.Mrs.S.Geetha

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a WRIT OF MANDAMUS to direct the respondent No.2 to initiate necessary proceedings under Section 205 of Tamil Nadu Panchayats Act, 1994 on the basis of the petitioner's complaint, dated 04.07.2016, in accordance with law within the time stipulated by this Court.

For petitioner : Mr.S.Malaikani

For respondents : Mr.R.Anandaraj
Govt. Advocate
for R1 to R3

**ORDER**

The petitioner/S.Suresh @ Jayachandran claiming to be a resident of Balakrishna Nagar, which comes under the third respondent Panchayat, for which, the fourth respondent is working as elected President, has come to this Court seeking for issuance of a Writ of Mandamus directing the District Collector/Inspector of Panchayat, the second respondent herein, to take action under Section 205 of Tamil Nadu Panchayats Act, 1994 on the basis of his complaint, dated 04.07.2016, in accordance with law.

2. The prayer made by the petitioner does not show any light against whom the petitioner sought action to be taken on the basis of the complaint dated 04.07.2016.

3. Learned counsel for the petitioner would submit that when the petitioner is one of the residents of the Balakrishna Nagar, which is controlled by the third respondent Panchayat President, without getting proper approval from the competent authority, he has granted layout in the panchayat, while so, nowhere in the affidavit, he has mentioned any particulars about the layout or in whose favour the layout has been granted. Secondly, yet another allegation has been made against the President complaining that the President, in violation of Rules and Regulations and laws, has granted approval even for the plots exceeding 400 square feet. Once again, no where, the petitioner has mentioned where 400 square feet plot is located or in whose favour. Again yet another allegation that four wheeler vehicle purchased by the third respondent was also without approval from the District Collector. Once again, the petitioner has not mentioned on what date, which four wheeler, Lorry or Van or carriage has been purchased. Therefore, this Court finds that only vague allegation has been put up against the fourth respondent/President. Therefore, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/

Assistant Registrar(Crl.Side)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Secretary to Government,
Rural Development and Panchayatraj Department,
Secretariat, Fort St. George, Chennai.

2.The District Collector/ Inspector of Panchayat

<https://hcservices.s.courts.gov.in/hcservices/> Office of the District Collector, Thanjavur District.



3.The Panchayat President,
Nanchikottai Village Panchayat,
Thanjavur Taluk,
Thanjavur District.

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+1cc to M/S.S.Malaikani, Advocate in SR.No.42506.

+1cc to Special Government Pleader
Madurai Bench of Madras High Court,
Madurai in SR.No.42916.

W.P (MD) .No.14275 of 2016
and

W.M.P (MD) No.10601 of 2016
08.08.2016

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