



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.09.2016
CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

WEB COPY

W.P (MD) No.16917 of 2016
and
W.M.P (MD) No.12270 of 2016

S.John Aloysious ... Petitioner

vs.

1)The District Collector /
The Inspector of Panchayat,
Kanyakumari District,
Nagercoil.

2)The Block Development Officer (B.Pt.),
Munchirai Panchayat Union,
Munchirai,
Kanyakumari District.

3)A.Saravanakumar ... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to conduct and conclude the enquiry proceedings as instructed and directed by the 1st respondent by means of his communication dated 27.06.2016 under Reference Roc.No.V3/22470/2016 and submit the said report thereupon within a time frame as specified by this Hon'ble Court and further direct the 1st respondent to act upon on the said report for initiation of appropriate proceedings on the 3rd respondent forthwith.

For Petitioner : Mr.S.Palani Velayutham
For R1 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader
For R2 : Mr.P.Gunaseelan Muthiah
Government Advocate

ORDER

By the order dated 27.06.2016, the District Collector/1st respondent herein has called for a report from the Block Development Officer (B.Pt.), Munchirai Panchayat Union/2nd respondent in respect of the complaint made against the 3rd respondent. This communication reads as under:-

' 'Memo

Sub : Panchayat Administration - Munchirai Panchayat Union - Thoothur Village Panchayat - Complaint against Thiru.A.Saravana Kumar - Water Supply Attender - submitting fake and false certificates - genuineness



requested - reg.

Ref : Thoothur Village Panchayat President Letter dated 26.05.2016.

I invite your immediate attention to the reference above cited through which a Complaint against Thiru.A.Saravana Kumar, Water Supply Attender of Thoothur Village Panchayat of Munchirai Panchayat Union has been received.

In this regard you are instructed to enquire in this matter & requested to report the fact to this office at the earliest.''

2. Seeking direction to the 2nd respondent to conduct and conclude the enquiry proceedings as instructed and directed by the 1st respondent by means of his communication dated 27.06.2016, this Writ of Mandamus has been filed.

3. Learned counsel for the petitioner would submit that it is only a direction to the 2nd respondent to conclude the enquiry within a time frame to be fixed by this Court and no prejudice is likely to be caused to the 3rd respondent. Therefore, notice to the 3rd respondent may be dispensed with.

4. Having regard to the limited prayer for expeditious enquiry being asked for in this writ petition, notice to the 3rd respondent is dispensed with. In view of the communication dated 27.06.2016, the 2nd respondent is directed to conclude the enquiry and submit a report to the 1st respondent, preferably within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs. W.M.P(MD)No.12270 of 2016 is closed.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

- 1) The District Collector /The Inspector of Panchayat, Kanyakumari District, Nagercoil.
 - 2) The Block Development Officer (B.Pt.), Munchirai Panchayat Union, Munchirai, Kanyakumari District.
- +1 CC to M/s.S.PALANI VELAYUTHAM, Advocate, SR No.51055
+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.51481

W.P(MD)No.16917 of 2016
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