



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2016

CORAM:

THE HONOURABLE DR.JUSTICE **S.VIMALA**

W.P (MD) No.21459 of 2016

S.Ramar

: Petitioner

Vs.

- 1.The District Collector,
O/o.The District Collector,
Thoothukudi, Thoothukudi District.
- 2.The Assistant Director of Panchayat,
O/o.The District Collector,
Thoothukudi, Thoothukudi District.
- 3.The Block Development Officer,
O/o.Panchayat Union Office,
Kayathar, Thoothukudi District.
- 4.The Panchayat President,
Theethampatty Panchayat,
Kayathar Union, Thoothukudi District.
- 5.Karuppasamy
- 6.Thangathai

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representations dated 28.08.2014, 01.09.2014 and 30.09.2014 and take action against the respondents 5 and 6.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents 1 and 2: Mr.A.Muthukaruppan,
Additional Government Pleader.

For Respondent No.3 &4 : Mr.K.Guru,
Additional Government Pleader.

**ORDER**

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representations dated 28.08.2014, 01.09.2014 and 30.09.2014 and to take action against the respondents 5 and 6.

2. Heard the learned counsel appearing for the petitioner, Mr.A.Muthukaruppan, learned Additional Government Pleader and Mr.K.Guru, learned Additional Government Pleader, who took notice for the respondents 3 and 4. Having regard to the limited prayer asked for in this writ petition, notice to the respondents 5 and 6 is dispensed with. By consent, the writ petition itself is taken up for final disposal.

3.0. The case of the petitioner is that the petitioner is a member of the fourth respondent Panchayat, Kayathar Union, Thoothukudi District. In the year, 2004, the fifth respondent served as Panchayat President in the Panchayat. On 21.10.2004, the fifth respondent appointed the sixth respondent as Panchayat Clerk.

3.1. The sixth respondent made entries in the Grama Sabha Book to the effect that the panchayat meetings were held on 23.01.2004, 06.06.2004, 15.08.2004 and 17.12.2004, but there were no meetings held and thus the Government Records were manipulated. Further, the sixth respondent also committed fraud and made wrong entries in the Panchayat Expenditure Book. Therefore, the petitioner submitted representations to the respondents 1 to 3 praying to take action against the respondent 5 and 6. As the same were not considered, this writ petition has been filed.

4. The learned Additional Government Pleaders appearing for the respondents 1 to 4 would submit that it is agreeable for the respondents 1 to 3 to consider the representation of the petitioner on merits and in accordance with law and to take appropriate action within a period of four weeks.

5. Recording the submission made by the learned Additional Government Pleaders for the respondents 1 to 4, the respondents 1 to 3 are directed to consider the representations of the



petitioner dated 28.08.2014, 01.09.2014 and 30.09.2014 and to take appropriate action, within a period of four weeks, from the date of receipt of a copy of this order. The respondents 1 to 3 shall provide opportunity of hearing to the respondents 5 and 6, at the time of consideration of the petitioner's representation.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

smn

To

1. The District Collector,
O/o. The District Collector,
Thoothukudi, Thoothukudi District.
2. The Assistant Director of Panchayat,
O/o. The District Collector,
Thoothukudi, Thoothukudi District.
3. The Block Development Officer,
O/o. Panchayat Union Office,
Kayathar, Thoothukudi District.
4. The Panchayat President,
Theethampatty Panchayat,
Kayathar Union, Thoothukudi District.

+1cc to Spl. Government Pleader Sr.No. 67922

+1cc to Mr. G. Prabhu Rajadurai Advocate Sr.No. 68029

JAM/23.11.16/PV /3p-7c

**ORDER MADE IN
W. P (MD) No. 21459 of 2016
10.11.2016**