



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.20810 of 2013
and
W.M.P (MD) No.11697 and 11698 of 2016

1.A.Sankar Raj
2.A.Kottai Raj
3.R.Annathurai

.. Petitioners

Vs.

1.The District Collector,
Virudhunagar District,
Collectorate Complex,
Virudhunagar.

2.The Additional Director of Panchayat
(Village Panchayat),
Collectorate Complex,
Virudhunagar.

3.The Deputy Director of Town and Country Planning,
No.4, Vakil Ajmal Khan road,
Chinna Chokkikulam, Madurai.

4.The Block Development Officer (Village Panchayat),
Aruppukottai, Virudhunagar District.

5.Thangapandian,
The Village President,
Chettipatti Panchayat,
Chettipatti, Panthalkudi Post,
Aruppukottai Taluk,
Virudhunagar District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents No.1 to 4 to take appropriate action against the fifth respondent herein consequent to the representations dated 18.01.2013 and 01.10.2012 and to further recover the loss from the fifth respondent caused to the



Panchayat due to his illegal actions and misuse of power.

For Petitioners

: Mr.S.Natarajan

For Respondents 1 to 3

: Mr.D.Muruganandam,

Additional Government Pleader.

For Respondent No.4

: Mr.J.Gunaseelan Muthiah

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ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 4 to take appropriate action in respect of illegalities alleged to have been committed by the fifth respondent on the basis of the representations given by the petitioners by way of issuing a writ of mandamus.

2.It is averred in the petition that the petitioners are the villagers of Chettipatti. The fifth respondent is nothing, but Village President of Chettipatti Panchayat and he has committed so many irregularities in granting permission and also in dealing with the money belongs to panchayat. Under the said circumstances several representations have been given to the concerned authorities. But the authorities have not taken any steps and therefore the present writ petition has been filed for getting the relief sought therein.

3.The learned counsel appearing for the petitioners has advanced his argument on the basis of the averments made in the petition and also on the basis of the representations given by the petitioners.

4.The main gravamen expressed on the side of the petitioners is that even though representations have been given to the concerned authorities with regard to illegalities committed by the fifth respondent, no action has been taken.

5.Considering the fact that the fifth respondent has acted as Village President of Chettipatti Panchayat and also considering that the petitioners have levelled certain allegations against him, a primordial duty is cast upon the authorities to look into the representations given by the petitioners. Since the authorities have failed to look into the same, this Court is of the view to pass the following order.

<https://hcservices.ecourts.gov.in/hcservices>, this writ petition is allowed without costs and the respondents 1 to 4 are strictly directed to look into the representations dated 18.01.2013 and 01.10.2012 alleged to have



been given by the petitioners and take appropriate action against the fifth respondent within a period of two months. Consequently, connected Miscellaneous Petitions are closed.

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/True Copy/

Sd/-

Deputy Registrar (J)

Sub Assistant Registrar

smn

To

1.The District Collector,
Virudhunagar District,
Collectorate Complex,
Virudhunagar.

2.The Additional Director of Panchayat
(Village Panchayat),
Collectorate Complex,
Virudhunagar.

3.The Deputy Director of Town and Country Planning,
No.4, Vakil Ajmal Khan road,
Chinna Chokkikulam, Madurai.

+1CC to Mr.J.Gunaseelan Muthiah, Advocate Sr.No.80832

+1CC to Mr.S.Natarajan, Advocate Sr.No.80968

+1CC to Spl.Government Pleader Sr.No.81273

GJM/SKN/23.12.16-3p-7C

ORDER MADE IN
W.P(MD)No.20810 of 2013
and
W.M.P(MD)No.11697 and 11698 of 2016
15.12.2016