

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2017

CORAM:

THE HON'BLE MR.JUSTICE S. VAIDYANATHAN

W.P.No.34121 of 2003

Rajapalayam Municipal Council,
represented by its Chairman,
Rajapalayam Municipality,
Virudhunagar District. ...Petitioner

Vs.

1. The State of Tamil Nadu represented
by its Secretary to Government,
Municipal Administration and Water,
Supply Department, Fort St.George,
Chennai-600 009.
2. The Director of Municipal Administration,
Chepauk, Chennai-600 005.
3. Joint Director of Municipal Administration,
Chepauk, Chennai-60 005.
4. The Director of Family Welfare,
DMS Complex, Teynampet, Chennai-600 006.
5. The District Collector,
Virudhunagar District,
Virudhunagar.
6. The Municipal Commissioner,
Rajapalayam Municipality,
Rajapalayam, Virudhunagar District. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuing a Writ of Mandamus or any other writ order or direction in the nature of writ to direct the respondents 1 and 2 to release the sum of Rs.15,86,427/- being the balance of grant towards the expenditure incurred from the Municipal General Funds of the Rajapalayam Municipality for continuing the employment of previous Indian Population Project-V Staff and paying the salary and purchasing the drugs upto 31.03.2001.

For Petitioner : Mr.N.S.Nandakumar
For Respondents 1 to 5 : Mr. Akhil Akbar Ali
Government Advocate
For 6th Respondent : Mr. N.S. Nandakumar

O R D E R

The petitioner has come forward with the above Writ Petition seeking a direction to respondents 1 and 2 to release the sum of Rs.15,86,427/- being the balance of grant towards the expenditure incurred from the Municipal General Funds of the Rajapalayam Municipality for continuing the employment of previous Indian Population Project-V Staff and paying salary and purchasing drugs upto 31.03.2001.

2. It is represented by Mr.Akhil Akbar Ali, learned Government Advocate that Rajapalayam Municipal Council is no longer represented by its Chairman and the head of Rajapalayam Municipal Council is the Special Officer and the respondents have granted the relief sought by the petitioner.

3. Mr.S.Nandakumar, who is the original counsel appearing for the sixth respondent, submitted that he is representing the Chairman of the said Municipal Council and now the sixth respondent, i.e. Municipal Commissioner of Rajapalayam Municipality is the actual petitioner and the very same petitioner cannot be a respondent in the writ petition.

4. Since the relief sought in this Writ Petition is stated to have been granted, respondents 1 and 2 shall produce proof of such granting of relief to the petitioner/sixth respondent and the respondents 1 and 2 shall send a compliance report with break-up details with regard to remittance of amount and the date, to the Registrar General of this Court, who shall place the report within one week from the date of receipt of the said compliance report from the 1st and 2nd respondents.

With the above observations and direction, the Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bri/aeb

To:

1. The Secretary to Government,
Municipal Administration and Water,
Supply Department, Fort St.George,
Chennai-600 009.
2. The Director of Municipal Administration,
Chepauk, Chennai-600 005.
3. Joint Director of Municipal Administration,
Chepauk, Chennai-60 005.
4. The Director of Family Welfare,
DMS Complex, Teynampet, Chennai-600 006.
5. The District Collector,
Virudhunagar District,
Virudhunagar.
6. The Municipal Commissioner,
Rajapalayam Municipality,
Rajapalayam, Virudhunagar District.
7. The Registrar General, High Court, Madras.
8. The Assistant Registrar (Legal Cell),
High Court, Madras.

W.P.No.34121 of 2003

SJ(CO)
EU(10/10/2017)

सत्यमेव जयते

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