



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.13114 of 2014

K.Nallamurugan

... Petitioner

Vs.

1.The Election Commissioner,
The State Election Commission, Chepauk, Chennai.

2.The Director,
Panchayat Raj, Chennai.

3.The District Collector/Inspector of Panchayat,
Ramanathapuram District.

4.D.Balu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to take action against the 4th respondent as per Section 38(e) of the Tamil Nadu Panchayat Act 1994, for misappropriation and maladministration in Kamuthi Panchayat Union and consequently directing the 2nd respondent to conduct election for the post of Chairman for our Kamuthi Panchayat Union for considering petitioner's representation, dated 06.11.2013 within the period that may be stipulated by this Court.

For Petitioner

: Mr.C.Venkatesh Kumar for
M/s. Ajmal Associates

For R1 to R3

: Mr.M.Govindan
Special Government Pleader

For R4

: Mr.S.C.Herold Singh

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The Writ Petitioner is a resident of Kamuthi. The grievance of the petitioner is that the Chairman of Kamuthi Panchayat Union had indulged in gross irregularities. He would further allege that he had taken contracts in the name of his father and brother. The fourth respondent, according to the Writ Petitioner, has incurred disqualification under Section 38(e) of the Tamil Nadu Panchayat



Act, 1994. Even though, he complained to the authorities, no action has been taken. He has, therefore, filed the present Writ Petition.

2. This Court directs the third respondent herein to enquire into the matter, with reference to the representation dated 06.11.2013, submitted by the writ petitioner and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

3. This Writ Petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The Election Commissioner,
The State Election Commission,
Chepauk, Chennai.

2. The Director,
Panchayat Raj, Chennai.

3. The District Collector/Inspector of Panchayat,
Ramanathapuram District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 73238

+1cc to M/s. AJMAL ASSOCIATES in SR. No. 73118

+1cc to Mr. S. C. HEROLD SINGH Advocate in SR. No. 73139

IS/GK

JS/MR.KKR/SAR.1/10.11.2017/2P-7C

W.P. (MD) No. 13114 of 2014
17 August 2017