

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 20.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.11306 of 2017

C.Senthilkumar

.. Petitioner

Vs.

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Commissioner,
Kovilpatti Municipality,
Municipality Building,
New Road, Kovilpatti - 628 501,
Thoothukudi 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 first and second respondents to take appropriate action on the basis of the petitioner's legal notice dated 08.12.2016 by conducting an enquiry over the allotment of General Fund in respect of Ward No.17 between the period October, 2011 to July, 2016.

For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondent No.1 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

For Respondent No.2 : Mr.P.Srinivas

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 to take appropriate action against the persons who committed misappropriation in laying roads by using Government funds, by way of issuing a writ of mandamus.



2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, has taken notice for the first respondent and Mr.P.Srinivas, learned counsel, has taken notice for the second respondent.

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3.The learned counsel appearing for the petitioner has contended to the effect that some amounts have been sanctioned for laying roads in the place mentioned in the petition, but the authorities concerned have not formed any road and therefore a legal notice has been issued on 08.12.2016, but the respondents have not considered the same.

4.Considering the contention putforth on the side of the petitioner, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed in part without costs. The petitioner is directed to give a fresh representation to both the respondents and after receipt of the same, the respondents are directed to dispose of the same within a period of one month.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Thoothukudi District,
Thoothukudi.

+1cc to M/S. R.M.VISHNUVARTHANAN, Advocate, SR.No.61014.
+1cc to Special Government Pleader, SR.No.61218.

ORDER MADE IN
W.P (MD) No.11306 of 2017
20.06.2017

smn

SDS/SV:MMS/SAR 4/28.06.2017/2P/4C