



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) Nos.17471, 17472 and 17763 of 2017

N.Mohaideen Pitchai ... Petitioner in W.P.(MD)No.17471/2017
H.Rafeha Beevi ...Petitioner in W.P.(MD)No.17472/2017
M.Hajaral ... Petitioner in W.P.(MD)No.17763/2017

-vs-

1. The Assistant Director (Panchayat),
Assistant Director Office,
Tirunelveli, Tirunelveli District.
2. The Block Development Officer,
Block Development Office,
Kadaiyam, Tirunelveli District.
3. The Panchayat Clerk,
Kadaiyam Union,
Pottalputhur Panchayat,
Pottalputhur,
Tirunelveli District. ... Respondents in all the cases

Common Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and take appropriate action on the petitioners' representation dated 12.09.2017 sent by the petitioners for the purpose of requesting the 2nd and 3rd respondents to issue water tax receipts properly, including receipt for the deposit.

For Petitioners : Mr.S.Muthukumar
For R1 : Mr.J.Gunaseelan Muthiah
Govt. Advocate
For R2 & R3 : Mr.M.Rajarajan

C O M M O N O R D E R

The issue involved in all these writ petitions is one and the same and therefore, they are taken up together for final disposal. For the sake of brevity, the facts are being taken up

<https://hcservices.edn.gov.in/MDservices/No.17471> of 2017, in which, the petitioner seeks a direction to the respondents to consider and take appropriate action on his representation dated 12.09.2017 for the purpose of



requesting the 2nd and 3rd respondents to issue water tax receipts properly, including receipt for the deposit.

2. The case of the petitioner in W.P.(MD) No.17471 of 2017 is that he had given Rs.5,000/- to the then President A.Asan Pakkir, as demanded by him for providing water connection and even after receipt of the said amount, he has not issued any receipt till now in proof of remittance of the said amount and has also not been giving receipts for other payments, such as water tax amount etc., and subsequently, cheated the petitioner and others. In this regard, he, besides forwarding a complaint to the District Crime Branch and the Superintendent of Police, Tirunelveli, has submitted a representation dated 12.09.2017 to the respondents, but all his efforts stood ended in vain. Hence, the petitioner is before this Court.

3. The learned Government Advocate appearing for R1 and the learned Standing Counsel appearing for R2 & R3 would submit that the petitioners, instead of giving complaints to the concerned jurisdictional police for legal action, have given complaints only to the District Crime Branch and the DCB has no jurisdiction to investigate into these matters. He would further submit that in the event of the petitioners filing complaints to the concerned Police, the same will be looked into and appropriate action taken.

4. After elaborate arguments and discussions, the learned counsel for the petitioners would contend that the jurisdictional Police is either the Inspector of Police, Kadaiyam or the Inspector of Police, Alwarkurichi and the petitioners are prepared to approach them for legal remedy.

5. In view of the above submissions and as agreed by the parties, the petitioners are directed to file necessary complaints before the concerned jurisdictional Police Officer, viz., the Inspector of Police, Kadaiyam / the Inspector of Police, Alwarkurichi (as the case may be) and on receipt of the same, the same shall be properly enquired into and suitable action be taken thereon by the concerned Police Officer.

6. With the above direction, these petitions are disposed of. No costs. Call on 06.10.2017 for reporting compliance.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar.



To:

1. The Assistant Director (Panchayats),
Assistant Director Office,
Tirunelveli, Tirunelveli District.

2. The Block Development Officer,
Block Development Office,
Kadaiyam, Tirunelveli District.

Copy to:

1. The Inspector of Police,
Kadaiyam Police Station,
Kadaiyam.
2. The Inspector of Police,
Alwarkurichi Police station,
Alwarkurichi.

+1CC to the Special Government Pleader SR.No. 81051

W.P(MD) Nos.17471, 17472 and 17763 of 2017

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AM/SV MMS/SAR 4/03.10.2017/3P/6C