



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.2538 of 2017

R.Singapandi

.. Petitioner

Vs.

1. The District Collector cum District Revenue Officer,
Tirunelveli Collectorate,
Tirunelveli - 627 009.

2. The Block Development Officer,
Nanganeri Panchayat Union Officer,
Nanganeri,
Tirunelveli District.

3. The Special Officer,
Thalapathysamuthiram Panchayat,
Nanganeri Taluk,
Tirunelveli District.

4. K.Balakrishnan

.. 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 respondent to take appropriate action against the fourth respondent as well as against the erred officers in the third respondent Panchayat under Tamil Nadu Panchayat Act, 1994 as well as Rule 1998 on the basis of the petitioner's representation dated 16.11.2016.

For Petitioner	: Mr.P.M.Vishnuvarthanan
For RR 1 to 3	: Mr.M.Govindan, Special Government Pleader.
For R - 4	: Mr.D.Rajkumar

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 first respondent to take appropriate action against the fourth respondent as well as concerned officials in the third respondent - Panchayat Union, by way of issuing a Writ of Mandamus on the basis of representation dated 16.11.2016.



2.The learned counsel appearing for the petitioner has contended to the effect that the fourth respondent is not a registered contractor, but the second respondent, even without maintaining the concerned register properly, has allotted several contract works to the fourth respondent. Under the said circumstances, a representation has been given to the first respondent, but the same has not been considered.

3.The learned counsel appearing for the fourth respondent has contended to the effect that the daughter of the petitioner is an ex-President of Panchayat Union. Further, the fourth respondent has not committed any error mentioned in the representation and therefore the present Writ Petition has been filed unnecessarily and the same deserves to be dismissed.

4.It is seen from the records that on 16.11.2016 the petitioner has given a representation to the first respondent, but the same has not been considered. Under the said circumstances, this Court is inclined to pass the following order.

5.In fine, this Writ Petition is allowed in part without costs. The first respondent is directed to look into the representation dated 16.11.2016 and after giving proper opportunity to the petitioner and fourth respondent dispose of the same within a period of two months.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To:

1. The District Collector cum District Revenue Officer,
Tirunelveli Collectorate,
Tirunelveli - 627 009.
2. The Block Development Officer,
Nanganeri Panchayat Union Officer,
Nanganeri, Tirunelveli District.
3. The Special Officer,
Thalapathysamuthiram Panchayat,
Nanganeri Taluk, Tirunelveli District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 59063.

+1 CC to M/s.P.M.VISHNUVARATHAN, Advocate, SR No. 58464

PS

PSM/RSK/SAR1/15.06.2017/2P/6C