



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 18.09.2017
CORAM

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

WEB COPY

W.P(MD)No.14157 of 2011

P.L.Shanthi Joy

... Petitioner

Vs

1. The District Collector,
Nagercoil, Kanyakumari District.

2. The Panchayat President,
Ayacode Village Panchayat,
Cherupalloor Post,
Kanyakumari District.

3. T.Vincent,
Panchayat Assistant,
Ayacode Village Panchayat,
Cherupalloor Post,
Kanyakumari District.

... Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the Petitioner's representation dated 26.10.2011 and to take action against the illegal activities of the third respondent.

For Petitioner	: Mr.J.Vincent Kumar
For Respondent-1	: Mr.G.Muthukannan
	Govt.Advocate
For Respondent-2	: Mr.K.Mahendran
For Respondent-3	: Mr.K.Vamanan

ORDER

The Petitioner seeks for issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the Petitioner's representation, dated 26.10.2011.

2.Heard the submissions made by Mr.J.Vincent Kumar, learned counsel for the Petitioner, Mr.G.Muthukannan, learned Government Advocate appearing for the first respondent and Mr.K.Mahendran, learned counsel appearing for the second respondent and Mr.K.Vamanan, learned counsel appearing for the third respondent and perused the materials placed before this Court.



3.The learned Government Advocate appearing for the first respondent would submit that the Petitioner gave the representation in the year 2011, but there is no proof for receipt of the same and if a fresh representation is given by the Petitioner, the first respondent would consider the same, as per law.

4.The learned counsel for the respondents 2 and 3 would submit that the Petitioner is an Ex-President of Ayacode Village Panchayat, Kanyakumari District and after he was defeated in the 2011 election, a complaint was given with an ulterior motive.

5.In the light of the prayer sought for in the Writ Petition and the submissions made by the learned counsels, this Court without going into the merits of the case, directs the Petitioner to give a fresh representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the first respondent is directed to consider the same and pass appropriate order on merits and in accordance with law, after giving notice to the Petitioner and other interested parties, if any, as expeditiously as possible, preferably within a period of twelve weeks therefrom.

6.With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Nagercoil, Kanyakumari District.

2. The Panchayat President,
Ayacode Village Panchayat,
Cherupalloor Post,
Kanyakumari District.

+ 1 CC TO MR.K.Vamanan, ADVOCATE IN SR No.79643
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.79607

vsn

MK/KK/SAR-1/06.10.2017/2P/5C

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