

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No. 31535 of 2016

M.Chithra

...Petitioner

Versus

- 1.The District Collector/Inspector of Panchayats,  
Nagapattinam, Nagapattinam District.
- 2.The Assistant Director of Panchayats,  
Collectorate, Nagapattinam,  
Nagapattinam District.
- 3.G.Thamarai  
President,  
Kangalancheri Village Panchayat,  
Nagapattinam District.
- 4.M.Gunasekaran
- 5.Kala
- 6.S.Kamalahasan.  
Panchayat Clerk,  
Kangalancheri Village Panchayat,  
Nagapattinam District.

... Respondents

Prayer : The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the 1<sup>st</sup> respondent to initiate necessary action including criminal Prosecution against the respondents 4 and 6 by disposing the written representation made by the petitioner on 12.08.2016 within a stipulated time.

For Petitioner : Mr.C.Prakasam

For R1 & R2 : Mr.N.Inbanathan  
Additional Government Pleader

For R3 : Mr.T.M.Pappiah

For R4 : Mr.Srinath Sridevan

O R D E R

The petitioner has come forward with this writ petition seeking direction to the 1<sup>st</sup> respondent to initiate necessary action including criminal Prosecution against the respondents 4 and 6 by disposing the petitioner's representation dated 12.08.2016.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 and 2, the learned counsel for the 3rd respondent and the learned counsel for the 4th respondent.

3. The learned counsel for the petitioner submitted that the petitioner was elected as Ward Member in Kangalancheri Village Panchayat, 3<sup>rd</sup> respondent was elected as President of the Panchayat and 4<sup>th</sup> respondent is her husband, 5th respondent was elected as Vice-President and 6th respondent is working as a Panchayat Clerk.

4. The learned counsel for the petitioner further submitted that for the irregularities committed by the private respondents, the petitioner gave representation to the first respondent dated 12.08.2016. Since no action was taken, the present writ petition.

5. The learned counsel for the petitioner further submitted that he would be satisfied, if a direction is issued to the first respondent to pass appropriate orders on the representation of the petitioner.

6. The learned counsel for the 4th respondent submitted that the petitioner with mala fide intention, filed complaint against them and if an opportunity is given to them, they are ready prove their innocence.

7. In the light of the above submissions, this Court, without going into the merits of this case, directs the 1<sup>st</sup> respondent to conduct enquiry on the representation of the petitioner dated 12.08.2016 and pass appropriate orders, on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties.

8. With the above observation and directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

msrm

To

1.The District Collector/Inspector of Panchayats,  
Nagapattinam,Nagapattinam District.

2.The Assistant Director of Panchayats,  
Collectorate, Nagapattinam,  
Nagapattinam District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.13740

+1cc to Mr.Srinath Sridevan, Advocate, S.R.No.13078

+1cc to the Government Pleader, S.R.No.14536

W.P.No.31535 of 2016

SSI (CO)

RRK(19/03/2018)

WEB COPY