

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No. 32168 of 2013
and M.P.No.1 of 2013

P.Muthumani

...Petitioner

Versus

1.The Inspector of Panchayats/
District Collector
Namakkal District
Namakkal.

2.The Block Development Officer
Tiruchengodu Panchayat Union
Tiruchengodu
Namakkal District.

3.The Chairman
Tiruchengodu Panchayat Union
Tiruchengodu
Namakkal District.

4.S.Balasubramaniam ... Respondents

[R4 impleaded as per order dated 04.12.2013
by VDPJ in M.P.No.2/2013 in W.P.No.32168/2013]

Prayer : The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the records 1st respondent relating to the enquiry in Na.Ka.No.1150/2013/uni3, dated 31.07.2013 and quash the same, and to direct the respondent to release funds to the petitioner herein for developmental activities.

For Petitioner : M/s.Prince Associates
For Respondents : Mr.B.Anand
Government Advocate

O R D E R

This writ petition has been filed for issuance of a writ of Certiorarified mandamus to quash the order of the first respondent dated 31.07.2013 in Na.Ka.No.1150/2013/uni3 and for issuance of direction, directing the respondent to release funds to the petitioner for developmental activities.

2. The case of the petitioner is that he was elected as a Ward Councillor, No.13 in Tiruchengode Panchayat Union and he has been serving as such for more than 20 years with an unblemished public life. The petitioner has sought funds from the Panchayat Union for various developmental activities. Instead of providing fund, the Chairman of the Panchayat Union has earmarked the funds in a biased and partisan manner. Hence, he gave a representation, dated 01.03.2013 to the respondents. Since no action was taken, the petitioner filed a writ petition in W.P.No.5879 of 2013 seeking direction to the 1st respondent to consider his representation.

3. The learned counsel for the petitioner submitted that pursuant to the order passed in the W.P.No.5879 of 2013, the impugned order has been passed, without properly appreciating the allegations made in the said representation.

4. Per contra, the learned Government Advocate submitted that the said representation was given by the petitioner when he was functioning as Ward Councillor and his term is now over. It is further submitted that the first respondent, after considering the entire allegations made in the said representation rejected the same, as it was not supported by any material.

5. It is not in dispute that in the instant case, the petitioner gave the representation to the first respondent in the year 2013, when he was working as Ward Councillor in Tiruchengode Panchayat Union and the term of office had already expired. Hence, this Court is of the opinion that the prayer sought for in this writ petition has become infructuous. Accordingly, the writ petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

msrm

To

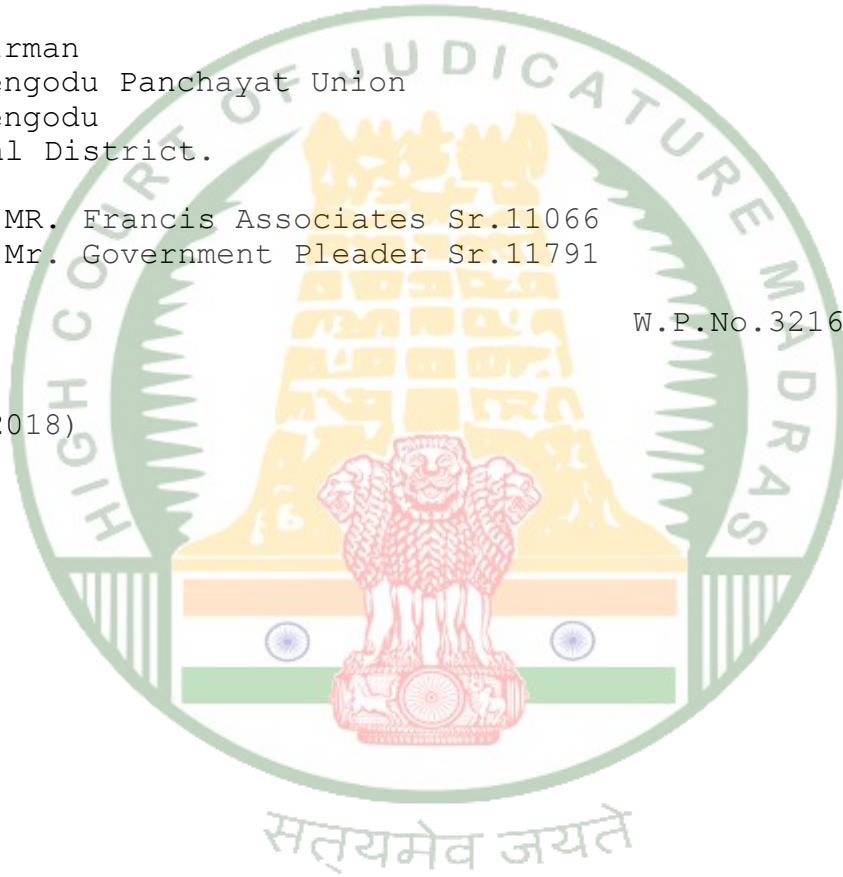
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+ 1 cc to MR. Francis Associates Sr.11066
+ 1 cc to Mr. Government Pleader Sr.11791

W.P.No.32168 of 2013

SR(CO)
EU(02/03/2018)



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