



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P.(MD) No.17827 of 2013

and

M.P.(MD)No.1 of 2014

Ajithkumar

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.

2. The President,
Vanniyoor Panchayat,
Kaliyakkavilai Post,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 01.06.2013 and disburse the salary of the petitioner from 01.11.2012 onwards for Pump Operator Job done by the petitioner in the second respondent Panchayat within a time stipulated by this Court

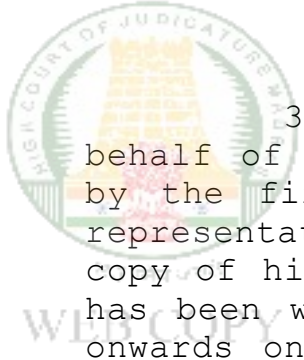
For Petitioner : Mr.V.Sasikumar

For Respondents : Mr.M.Muthu
Additional Government Pleader

ORDER

The relief sought for in this writ petition is for a direction to direct the second respondent to consider the petitioner's representation dated 01.06.2013 and disburse salary of the petitioner from 01.11.2012 onwards for the work performed by the writ petitioner in the post of Pump Operator.

2.The learned counsel for the petitioner states that the writ petitioner was appointed as a Pump Operator in the second respondent Panchayat by proceedings dated 01.05.2012 and the salary due to the writ petitioner had not been disbursed. Thus, the petitioner has sent a representation to the second respondent on 01.06.2013.



3. The learned Additional Government Pleader appearing on behalf of the respondents relying on the counter affidavit filed by the first respondent states that the petitioner had sent a representation to the first respondent on 01.06.2013 enclosing a copy of his appointment order dated 01.05.2012 and stated that he has been working in Vanniyoor Village Panchayat from 01.11.2012 onwards on daily wage basis and no salary has been disbursed to him by the second respondent village panchayat president. The representation sent by the writ petitioner was received on 10.06.2013. Based on the said representation, the Assistant Director (Panchayat), Nagercoil has sent reply to the petitioner based on the report of the Block Development Officer (V.Pts), Melapuram vide her Letter No.A1/1416/2013, dated 19.06.2013 that no such person in the name of AjithKumar is working as water supply attender in Vanniyoor Village Panchayat vide Letter No.A4/1141/2012, dated 22.07.2013. Since the petitioner had suppressed this fact, no action has been taken by the first respondent on his representation dated 01.06.2013.

4. On a perusal of the reply furnished by the District Collector, Kanyakumari District, it is made clear that the representation sent by the petitioner was considered and reply was sent to the writ petitioner based on the report of the Block Development Officer, Melpuram. Such being the factum, no further adjudication is required in this writ petition. It is left open to the writ petitioner, to redress his grievances in the manner known to law. Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Kanyakumari District,
Nagercoil.

+1 cc to M/S.V.Sivakumar, Advocate, IN SR No. 52479
+1 cc to M/S.The Special Government Pleader, IN SR No. 52902

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and
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