

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.08.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI
W.P.No.3077 of 2011

Dr.G.Sambandam,
Vice Chairman,
Kanchipuram Municipality,
No.1, Upperikulam Street,
Kanchipuram 631 502.

...Petitioner

Vs.

- 1.The District Collector,
Kanchipuram District,
Kanchipuram.
2. Director of Municipal Administration,
Department of Municipal Administration & Water Works,
Exhilagam, Chepauk, Chennai - 600 005.
3. Regional Director of Municipal Administration,
GST Road,
Chengalpet, 603 001.
4. Mr.V.Rajendran,
The Chairman,
Kanchipuram Municipality,
Kanchipuram.

...Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 3 to consider the representations dated 23.06.2010 and 20.12.2010 and to initiate appropriate proceedings against the fourth respondent by holding an enquiry and to take appropriate action against the fourth respondent.

For Petitioner : Mr.C.K.Chandrasekar
For Respondents : Mr.J.Ramesh, AGP
for R1 to R3.
M/s.Srinivas
for R4.

O R D E R

This writ petition is filed by the Writ Petitioner, to issue a writ of Mandamus, directing the respondents 1 to 3 to consider the representations dated 23.06.2010 and 20.12.2010 and to initiate appropriate proceedings against the fourth respondent by holding an enquiry and to take appropriate action against the fourth respondent.

2. The petitioner is the Vice-Chairman of the 4th respondent's Municipality. He was elected as Ward member from the 14th Ward and later elected as the Vice Chairman of the 4th Respondent. The 4th respondent vide order dated 03.12.2008, had appointed the petitioner as one of the members of the preparatory committee to discuss the agendas for the monthly meetings of the 4th respondent Municipality and to discuss the financial implications, viability of the projects that are required to be implemented, etc.

3. The learned counsel appearing for the petitioner would submit that though the idea of having the preparatory committee was laudable, it never took place as it intended to be. The fourth respondent many times conducted the preparatory meeting at a very short notice and very less discussion took place. In fact, many of the projects which are out sourced at the heavy costs like removal of waste, designing, building, operating of the public parks, etc., were never discussed in the preparatory committee. He would further mention that, during June 10 the sewage water got mixed with the drinking water and consequently the public were put to severe hardship and inconvenience. However, this incident was never discussed in the monthly committee meeting of the 4th respondent. This was protested by the petitioner vide his representation dated 04.06.2010 to the respondents and no action was taken by the petitioner in this regard.

4. The learned counsel appearing for the petitioner would further submit that complaining these acts of the 4th respondent, the petitioner had made several representations to the first, second and the third respondents in vain. Once again the petitioner had sent another representation dated 20.12.2010, to all the respondents complaining the acts of the fourth respondent. The acts of the fourth respondent are contrary to the law and not following any established procedure. The said representation was received by the respondents, and the acknowledgment cards are

enclosed herewith. Despite the receipt of the same, till date the respondents are not taking any action against the fourth respondent. Hence, the writ petition is filed.

5. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the fourth respondent namely Mr.V.Rajendran, was selected in the year 2006 and his term was over in the year 2011 itself.

6. Considering the facts and circumstances of the case and that, since the fourth respondent term is over in the year 2011 itself, no further adjudication is required in the present writ petition. Accordingly, the present writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

kmm
To

- 1.The District Collector,
Kanchipuram District,
Kanchipuram.
2. Director of Municipal Administration,
Department of Municipal Administration & Water Works,
Exhilagam, Chepauk, Chennai - 600 005.
3. Regional Director of Municipal Administration,
GST Road,
Chengalpet, 603 001.

+1cc to Mr.P.Srinivas, Advocate SR.No. 72018
+1 cc to Government Pleader Sr.No. 74142

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A.SK(14/11/2019)

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