

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.02.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.4639 of 2019

C.Rajavelu

..Petitioner

vs

- 1.The Principal Secretary to Government
of Tamilnadu
Municipal Administration and Water Supply Department
Fort St.George, Chennai - 9.
 - 2.The Director of Town Panchayats
Kuralagam, Chennai - 109
 - 3.The Assistant Director of Town Panchayats
Vellore Zone, Vellore-9.
 - 4.The Executive Officer
Udhayandiram Town Panchayat
Vellore District.
 - 5.S.Ravichandran
Over Head Tank Watchmen
Udhayandiram Town Panchayat
Vellore District.
- ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to pass orders on the appeal preferred by the petitioner on 8.9.2018 and 25.09.2018, challenging the order No.129/2018 dated 03.09.2018 passed by the Ombudsman for Local Bodies within a stipulated period of time.

For Petitioner : Mr.V.Vijay Shankar

For Respondents : M/s.P.Rajalakshmi
Additional Government Pleader
for R1 to R3
M/s.R.Janaki
Additional Government Pleader
for R4

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents 1 and 2 to pass orders on the appeal preferred by the petitioner on 8.9.2018 and 25.09.2018, challenging the order No.129/2018 dated 03.09.2018 passed by the Ombudsman for Local Bodies.

2.The grievances of the writ petitioner is that the 5th respondent had been illegally appointed and in violation of the Service Rules. Aggrieved from and out of the illegal appointment made by the 4th respondent, the writ petitioner moved Ombudsman. The Ombudsman directed the writ petitioner to approach the Appellate authorities for the purpose of redressing his grievances. Thus, the writ petitioner is preferred an appeal to the respondents 1 & 2 on 08.09.2018 and 25.09.2018 and made a complaint that the appointment of the 5th respondent is in violation of the Service Rules in force.

3.Under these circumstances and without going into the merits of the matter, the 2nd respondent is directed to consider the appeals submitted by the writ petitioner on 08.09.2018 and on 25.09.2018 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representations and all relevant orders/documents, along with the order passed in the present writ petition.

4.With these directions, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary to Government
of Tamilnadu
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2.The Director of Town Panchayats
Kuralagam, Chennai - 109

3.The Assistant Director of Town Panchayats
Vellore Zone, Vellore-9.

4.The Executive Officer
Udhayandiram Town Panchayat
Vellore District.

+1cc to Mr. V.Vijay Shankar, Advocate SR.No. 15664

+1 CC TO GOVERNMENT PLEADER SR.NO. 16063

W.P.No.4639 of 2019

A.SK(13/03/2019)



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