



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.19110 of 2019

WEB COPY

A.Karnan

... Petitioner

-Vs-

1. The District Collector,
Office of Collector,
Dindhugul District.
2. The Clerk,
Panchayat Office of Pachai Malaiyan
Cottai Village, Nilacottai Taluk,
Dindhugul District.

3. Tamil Selvi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to remove the third respondent as unauthorized person, who illegally allowed to servicing by the second respondent consequently, take necessary action upon the second respondent based upon the petitioner's representation dated 08.03.2019.

For Petitioner	: Mr.S.Moorthy
For R1 and R2	: Mr.C.M.Mari Chelliah Prabhu, Additional Government Pleader.
For R3	: Mr.R.R.Kannan

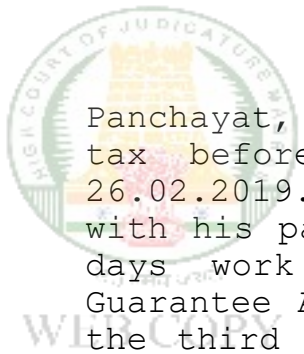
ORDER

Heard Mr.S.Moorthy, learned counsel appearing on behalf of the petitioner, Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader, who takes notice on behalf of the respondents 1 and 2 and Mr.R.R.Kannan, learned counsel, who takes notice on behalf of the third respondent.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.This Writ Petition is filed for a direction to the first respondent to remove the third respondent as unauthorized person, who was illegally allowed to service by the second respondent and consequently, take necessary action upon the second respondent, based on the petitioner's representation, dated 08.03.2019.

4.According to the petitioner, he is residing in a house, situated in Survey No.68314, at Pachaimalaiyan Kottai Village
<https://hcservices.ecourts.gov.in/hcservices/>



Panchayat, Nilakottai Taluk, Dindigul District. He has paid house tax before the Revenue Department for the year 2018-2019 on 26.02.2019. Pursuant to that, on 06.03.2019, the petitioner along with his parents approached the second respondent, for applying 100 days work under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005. At that time, an unauthorized person, who is the third respondent herein, insisted the petitioner to pay house tax once again for the year 2018-2019. Hence, the petitioner has given a representation, dated 08.03.2019, to the first respondent. But, so far, no order is passed thereon. Hence, the petitioner has come forward with the present Writ Petition.

5.The learned counsel appearing on behalf of the third respondent submitted that the third respondent is not an unauthorized person and she is working on consolidated pay.

6.Considering the rival submissions made on either side, without deciding the issues on merits, this Court directs the first respondent to consider the representation of the petitioner, dated 08.03.2019, on merits and pass orders in accordance with law, after giving an opportunity of hearing to the petitioner and the third respondent, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Office of Collector,
Dindhugul District.
2. The Clerk,
Panchayat Office of Pachai Malaiyan
Cottai Village, Nilacottai Taluk,
Dindhugul District.

+1 CC to Mr.S.MOORTHY, Advocate (SR-15959[I] dated 20/09/2019)
+1 CC to Mr.RR.KANNAN, Advocate (SR-87623[F] dated 19/09/2019)
+1 CC to SPL GP (SR-87953[F] dated 19/09/2019)

W.P. (MD) No.19110 of 2019

18.09.2019

MYR

 MK (24.10.2019) 2P 6C

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