



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.[MD]No.23092 of 2019

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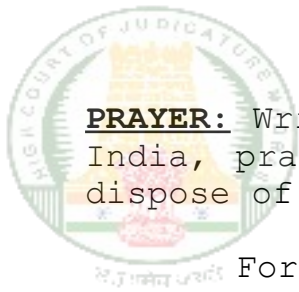
D.Benkar

: Petitioner

Vs.

- 1.The Secretary,
Municipal Administration Department,
St. Fort George,
Chennai - 9.
- 2.The Secretary,
Rural Development and Panchayat Raj Department,
St. Fort George,
Chennai - 9.
- 3.The Tamil Nadu State Election Commissioner,
Tamil Nadu State Election Commission,
208/2, Jawaharlal Nehru Road,
Arumpakkam,
Chennai - 106.
- 4.The Director,
Directorate of Town Panchayats,
Kuralagam,
Chennai - 108.
- 5.The District Collector,
Kanyakumari District,
Collectorate,
Nagercoil - 01.
- 6.The Assistant Director of Town Panchayat,
Rural Development and Panchayat Raj Department,
Kanyakumari District,
Collectorate,
Nagercoil - 01.
- 7.The Assistant Director of Village Panchayat,
Rural Development and Panchayat Raj Department,
Kanyakumari District,
Collectorate,
Nagercoil - 01.

: Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondent to dispose of the petitioner's representation dated 17.06.2019.

For Petitioner : Mr.A.Arun
For Respondents 1,2, 4 to 7 : Mr.A.K.Baskara Pandian
Special Government Pleader
For Respondent No.3 : Mr.D.Shanmugaraja Sethupathi

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

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

2.Heard Mr.A.Arun, learned Counsel appearing on behalf of the petitioner, Mr.A.K.Baskara Pandian, learned Special Government Pleader accepting notice on behalf of respondents 1, 2, 4 to 7 and Mr.D.Shanmugaraja Sethupathi, learned Counsel appearing on behalf of the third respondent.

3.The petitioner by way of this Public Interest Litigation seeks for consideration of his representation dated 17.06.2019. The petitioner's grievance is that one Revenue Village comes under the control of three different local bodies and it is very difficult for the residents of that village to obtain welfare measures from three different places. Consequently, they wanted to be interconnected and brought within one jurisdiction.

4.Unfortunately, while exercising jurisdiction under Article 226 of the Constitution of India, we cannot issue any direction to the respondents, as it may be akin to a de-limitation exercise. It is further submitted by the learned Counsel that the representation has been forwarded to the Director of Municipal Administration and it is not known as to what has happened thereafter. In any event, as we have pointed out, we cannot issue any positive direction as sought for by the petitioner. However, we permit the petitioner to pursue his remedy before the authorities and also approach the elected members of their constituency to put forth his grievance and get adequate relief from the Government.

5.With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)



- MR
To
- 1.The Secretary,
Municipal Administration Department,
St. Fort George, Chennai - 9.
 - 2.The Secretary,
Rural Development and Panchayat Raj Department,
St. Fort George, Chennai - 9.
 - 3.The Tamil Nadu State Election Commissioner,
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Rural Development and Panchayat Raj Department,
Kanyakumari District,
Collectorate, Nagercoil - 01.
 - 7.The Assistant Director of Village Panchayat,
Rural Development and Panchayat Raj Department,
Kanyakumari District, Collectorate, Nagercoil - 01.

+1 CC to MR.A.ARUN, Advocate (SR-95751[F] dated 04/11/2019)
+1 CC to MR.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-95864[F] dated 04/11/2019)
+1 CC to SPL GP (SR-96088[F] dated 05/11/2019)

Order made in
W.P.[MD]No.23092 of 2019
Dated: **04.11.2019**

MK (28.11.2019) 3P 11C