



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2019

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.[MD]No.25106 of 2019

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S.John Britto

: Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Project Director (Rural Development),
Sivagangai,
Sivagangai District.

3.The Assistant Director (Panchayats),
Sivagangai,
Sivagangai District.

4.The Block Development Officer / Special Officer
(Village Panchayat),
Ilayangudi Village Panchayat Union,
Ilayangudi,
Sivagangai District.

5.The Block Development Officer / Commissioner,
Ilayangudi,
Sivagangai District.

: Respondents

PRAYER: This Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents 1 and 2 to dispose of the petitioner's representation dated 25.02.2019 immediately within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi
For Respondents 1 to 3 : Mrs.J.Padmavathi Devi
Special Government Pleader
For Respondents 4&5 : Mr.Karuppasamy
Government Advocate

O R D E R

This writ petition has been filed seeking a direction to the respondents 1 and 2 to dispose of the petitioner's representation dated 25.02.2019 immediately within a time frame as fixed by this Court.



2. Heard Mr.B.Prahalad Ravi, learned counsel appearing for the petitioner, Mrs.J.Padmavathi Devi, learned Special Government Pleader appearing for the respondent 1 to 3 and Mr.Karuppasamy, learned Government Advocate appearing for respondents 4 and 5.

3. In the affidavit filed in support of this petition, it is seen that the petitioner is a registered civil contractor and the fifth respondent had issued license and the license is being renewed periodically. The petitioner has been awarded contract works by the fourth and fifth respondents upto October 2016, on tender basis. That being so, the fourth respondent acted as the Special Officer of the Ilayangudi Panchayat Union, from November 2016 and from then onwards, he has been acting against the settled principles of law. Further, the fourth respondent has not called for any tenders for the works to be done in the Panchayat Union in a proper manner by publishing the tender notice in the Newspapers. Further, the fourth respondent is alleged to have awarded contracts to the contractors very close to him with the help of the fifth respondent.

4. Further it is alleged that no Grama Sabha meeting has been conducted by the fourth respondent, being a Special Officer by duly giving notice to the villagers. Hence, the petitioner has made several complaints to the authorities including the first respondent, seeking to take necessary action on the illegalities committed. Last of such representation was made on 25.02.2019. Since no action has been taken by the first respondent so far, the petitioner is before this Court by way of the present writ petition.

5. The learned counsel appearing for the petitioner submitted that the petitioner would be satisfied if the respondents 1 and 2 are directed to consider and dispose of the petitioner's representation dated 25.02.2019.

6. The learned Special Government Pleader appearing for the respondents submitted that the respondents 1 and 2 will consider the representation of the petitioner.

7. In view of the above, it is open to the petitioner to furnish one more copy of the said representation dated 25.02.2019, to the first respondent within a period of two [2] weeks from the date of receipt of a copy of this order and on receipt of the same, the first respondent is directed to consider the said representation dated 25.02.2019 and pass appropriate orders on merits and in accordance with law, within a period of four [4] weeks thereafter.



8. With the above directions, this Writ Petition is disposed of. No costs.

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// True Copy //

Sd/-

Assistant Registrar (CS-I)

/ /2020

Sub Assistant Registrar (CS)

MR

To

1. The District Collector,
Sivagangai District.

2. The Project Director (Rural Development),
Sivagangai,
Sivagangai District.

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4. The Block Development Officer / Special Officer
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Ilayangudi,
Sivagangai District.

5. The Block Development Officer / Commissioner,
Ilayangudi,
Sivagangai District.

+1 CC to MR.B.PRAGALAD RAVI, Advocate (SR-104491[F] dated
11/12/2019)

+1 CC to SPL.GP (SR-104498[F] dated 11/12/2019)

ORDER MADE IN
W.P. [MD]No.25106 of 2019
10.12.2019

_KM/ (27.01.2020) 3P 8C