



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :10.09.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO. 20056 OF 2013

V.Gunasekaran

.. Petitioner

- Vs -

1.The District Collector,
Vellore District, Vellore.

2.The Block Development Officer,
Panchayat Union Officer,
M.C.Road, Madhanur,
Vellore District.

3.The President,
Alankuppam Village Panchayat,
Alankuppam 635 814,
Ambur Taluk, Vellore district.

4.K.Umasankar, Assistant,
Alankuppam Village Panchayat,
Ambur Taluk, Vellore district.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the respondents to dispose of the petitioners representation dated 8.4.2013 with regard to the irregularities committed by 4th respondent K.Umasankar Assistant Alankuppam Village Panchayat Ambur Taluk Vellore Dist.

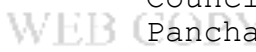
For Petitioner : No appearance

For Respondents: Mr. S.Thangavel, Spl.G.P. For R1
: M/S.R.T.Sundari for R4

ORDER

The present writ petition has been filed by the petitioner to direct the respondents to dispose of the petitioners representation dated 8.4.2013 with regard to the irregularities

Page numbers



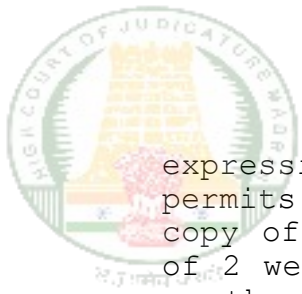
2.The case of the petitioner is that he was an Ex Councillor for the period 2006 to 2011, of Alankuppam Village Panchayat and he did not belong to any political party and he is a social worker. While he took charge as the member of Panchayat Council in Alankuppam Village Panchayat, towards the construction of free houses under the Members of Legislative Assembly Fund, an amount of Rs.55,000/- was allotted in the year 2010-11 in favour of one Tmt. Rajeswari by the second respondent herein as per the recommendation of the 3rd respondent herein. Subsequently, he came to know that there was some malpractice in the said allotment and that one Umasankar S/o Kamalanathan working as Assistant in Alankuppam Village Panchayat, received the amount on behalf of his mother Tmt. Rajeswari. However the fact remains that the said Rajeswari expired even on 29.5.2007. However, the said amount was not disbursed in favour of the deceased and some of the amount was paid to the beneficiaries under the MLA fund. Considering the irregularities, the petitioner made a complaint against that one Umasankar, Assistant at Alankuppam Village Panchayat, till date on action was taken by the respondents. As against the inaction, the present petition has been filed by the petitioner with the above said prayer.

3. Though the name of learned counsel for the petitioner was printed in the cause list, there was no representation on behalf of the petitioner. Considering the fact that the petition has been filed way back in the year 2013 and has been pending on the file of this Court since then, this Court proceeds to decide the case on merits and pass orders.

4. This Court heard the submission made by the learned counsel appearing for the 4th respondent, who submitted that no complaint have been received from the beneficiaries against the 4th respondent, and the present petition by the petitioner is only with an ulterior motive and the same is wholly unsustainable.

5. The sum and substance of the allegation against the 4th respondent is that he had committed irregularity for disbursing the amount to the beneficiaries under the MLA fund. The grievance of the petitioner is that though he made allegations against one Umasankar, Assistant at Alankuppam Village Panchayat and he is also a party as 4th respondent in this petition and representation has been sent, the same has not been considered and orders passed. In such circumstances, without

Page numbers



expressing any opinion on the merits of the issue, this Court permits the petitioner to send a copy of this order along with a copy of the representation to the 2nd respondent within a period of 2 weeks from the date of receipt of a copy of this order and on the submission of such representation, the 2nd respondent is directed to conduct an enquiry by affording opportunity to the 4th respondent and pass appropriate orders thereon in accordance with law, within a period of three months thereafter.

6. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

To

1. The District Collector,
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+1cc to the Government Pleader SR.29723

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AJS (CO)
CB(06/11/2020)

Page numbers