

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.12096/2020

N.Jayalakshmi

..Petitioner

Versus

1. The District Collector
Collector Office,
Thiruvallur District,
Tamil Nadu 602 003.
2. The Block Development Officer
Block Development Office
Sholavaram Panchayat Union
Sholavaram, Thiruvallur District.
Pin 600 067.

..Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd respondent to consider the petitioner's representation dated 17.08.2020 along with the resolution of the Padiyanallur village Panchayat dated 10.08.2020 received by his Office dated 18.08.2020 in accordance with law within a time frame as may be fixed by this Court.

For Petitioner : Mr.P.Raja

For Respondents: Mr.E.Balamurugan

Special Government Pleader

ORDER

- (1) This writ petition has been filed for the issue of a writ of mandamus, directing the 2nd respondent to consider the representation made by the petitioner on 17.08.2020 which was accompanied by the Resolution passed by the Panchayat dated 10.08.2020 and take an appropriate decision within the time fixed by this Court.
- (2) The case of the petitioner is that the petitioner is the elected President of Padiyanallur Grade I Village Panchayat. According to the petitioner, the respondents are taking up works and issuing tenders unilaterally without the sanction or the knowledge of the elected Village Panchayat. According to the petitioner, the 2nd respondent proceeded to call for tender

for road laying work in the Village Panchayat even without the knowledge of the elected Office Bearers of the Panchayat. The petitioner has also made several other allegations to the effect that the respondents are calling for tenders and awarding contract for various works in the Panchayat without the consent and knowledge of the elected Body and thereby, the power and authority of the elected Body is usurped. Therefore, according to the petitioner, the action of the respondents is beyond their jurisdiction and in violation of the Tamil Nadu Panchayat Act, 1994.

- (3) The petitioner, as the President of the Padiyanallur Village Panchayat, gave a representation to the 2nd respondent along with the Resolution passed by the Panchayat by expressing their grievance and the same was not considered by the 2nd respondent. Therefore, the present writ petition has been filed before this Court seeking for appropriate directions.
- (4) Heard Mr.P.Raja, learned counsel for the petitioner and Mr.E.Balamurugan, learned Special Government Pleader accepting notice on behalf of the respondents.
- (5) Taking into consideration, the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the 2nd respondent to immediately consider the representation made by the petitioner on 17.08.2020 and consider the same along with the Resolution that was passed by the Village Panchayat on 10.08.2020 and respond to the petitioner within a period of two weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with a copy of the representation dated 17.08.2020 ; a copy of the Resolution dated 10.08.2020 and a copy of this order.
- (6) This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector
Collector Office,
Thiruvallur District,
Tamil Nadu 602 003.

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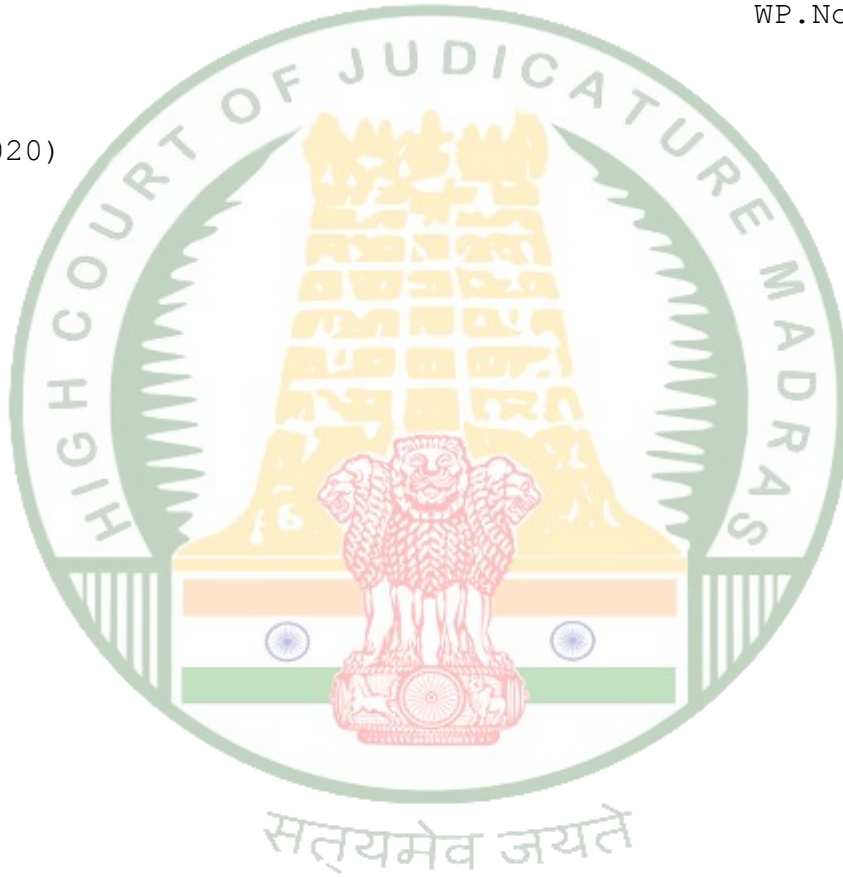
2. The Block Development Officer
Block Development Office
Sholavaram Panchayat Union
Sholavaram, Thiruvallur District.
Pin 600 067.

+1 cc to the Government Pleader, Advocate Sr.No.29636

+1 cc to Mr.P.Raja, Advocate Sr.No. 29552

WP.No.12096/2020

ajs(co)
rv(24/9/2020)



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