

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED DATE : 03.02.2021

PRONOUNCED DATE : 26.02.2021

CORAM

THE HONOURABLE THIRU JUSTICE B.PUGALENDHI

W.P.No.2143 of 2021

K.Anjana

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Thiruvannamalai,
Thiruvannamalai District.
2. The Project Director,
District Rural Development Agencies (DRDA),
District Collector Office Campus,
Thiruvannamalai,
Thiruvannamalai District.
3. The Additional Director, (Rural Panchayat),
Cheyyar Division,
Cheyyar, Thiruvannamalai District.
4. Mrs.S.Valli
S/o.R.Sivakumar
President of kil Villivalam Village Panchayat,
No.2/199, Road Street,
Kil Villivalam Village, Vandavasi Taluk,
Thiruvannamalai District.
5. Mr.R.Sivakumar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing respondents to consider the representation of the petitioner dated 03.12.2020 submitted for seeking necessary action against the illegal activities of the Village Panchayat President, Kil Villivalam Village, Thiruvannamalai District and her husband the respondents 4 & 5 herein.

For Petitioner: Mr.V.Vijayarajan

for Mr.V.R.Appaswamee

For Respondents: Mr.M.Elumalai, AGP
(for R.1 to R.3)

ORDER

This Writ Petition is filed for a mandamus directing the respondents to consider the representation of the petitioner dated 03.12.2020.

2.The petitioner is the Vice President of Kil Villivalam Village Panchayat and it appears that she is having some dispute with the Panchayat President one Mrs.S.Valli. The grievance of the petitioner is that one R.Sivakumar, the husband of said Mrs.S.Valli is acting as defacto President, used to conduct the panchayat board meetings and participate in the meetings and also circulate the resolutions. When Mr.R.Sivakumar, the husband of the President insisted her to sign in the PFMS forms, she refused to sign and later she came to know that her signatures have been forged in the said documents and therefore she submitted this representation on 03.12.2020 seeking for necessary action against Mrs.S.Valli, Village Panchayat President of Kil Villivallam Village, Thiruvannamalai District.

3.Mr.M.Elumalai, learned Additional Government Pleader took notice for the respondents and produced a proceedings of the District Collector in Na.Ka.No.3419/2020/A2/UE(OO),C.K, dated 25.01.2021, wherein the District Collector and the Inspector of Panchayat, Thiruvannamalai has taken some actions as against this writ petitioner that the writ petitioner has abused the President by referring her community, insisting her, preventing her from doing her President work.

4.In this regard, the District Collector has received complaint from a District Secretary of an Dalit Organization to the National SC/ST Commission based on which an enquiry was conducted by the District Collector in the office of the Panchayat on 23.11.2020. During the enquiry, the District Collector found that this writ petitioner is the Vice President of the Panchayat has abused the President by defaming her community and also prevented the Panchayat President from discharging her duties. On ascertaining the same the District Collector by the said proceedings dated 25.01.2021 has initiated action against petitioner/Vice President and taken away the cheque signing powers from the petitioner and handed it over to a Ward Counselor No.3 of the Panchayat.

5.The District Collector on receipt of complaint forwarded by the National Commission for SC/ST conducted an enquiry on

23.11.2020. The National Commission has also registered a case in 3/173/2020 based on the complaint of a Dalit Activist on 16.10.2020 as against this petitioner.

6. After this enquiry conducted on 23.11.2020, the petitioner has sent a detailed representation to all the respondents on 03.12.2020 as no steps were taken on the same, the petitioner filed this Writ Petition on 08.01.2021. On this episode, the District Collector/Inspector of Panchayat has already conducted an enquiry on 23.11.2020 and on that date, the petitioner has not made out these allegations to the District Collector. The District Collector has also recorded his findings which constitute certain serious offences as against this writ petitioner. The petitioner in order to save her skin and to intimidate the panchayat President has submitted this representation belatedly on 03.12.2020 after the enquiry conducted by the District Collector on 23.11.2020 and therefore this Court is not inclined to entertain this Writ Petition and accordingly stands dismissed.

7. In the result, this Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrm

To

1. The District Collector,
Office of the District Collector,
Thiruvannamalai,
Thiruvannamalai District.
2. The Project Director,
District Rural Development Agencies (DRDA),
District Collector Office Campus,
Thiruvannamalai,
Thiruvannamalai District.
3. The Additional Director, (Rural Panchayat),
Cheyyar Division,

Cheyar, Thiruvannamalai District.

+1 cc to M/s.V.R.Appaswamee, Advocate Sr.No. 11983

W.P.No.2143 of 2021

JPII (CO)
RMP (07/05/2021)



WEB COPY