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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21-12-2021

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.8142 of 2015

P.A.Sekar

.. Petitioner

vs.

1.The District Collector,
Tirupur District,
Tirupur.

2.The Superintendent of Police,
Tirupur District,
Tirupur.

3.The Deputy Superintendent of Police,
Palladam Range,
Palladam,
Tirupur District.

4.The Inspector of Police,
Palladam Police Station,
Palladam,
Tirupur District.

5.A.Annadurai

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first and second respondents to conduct the enquiry to take action against the fifth respondent on the basis of the petitioner's representation on 26.02.2015.

For Petitioner	:	Mr.M.Gnanasekar
For Respondents-1 to 4	:	Mr.C.Sathish, Government Advocate.

For Respondent-5	:	Mr.M.Purushothaman
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O R D E R

The relief sought for in the present writ petition is to direct the first and second respondents to conduct the enquiry to take action against the fifth respondent on the basis of the representation submitted by the petitioner on 26.02.2015.

2. The grievance of the petitioner is that the petitioner submitted several complaints/representations in his capacity as the Municipal Chairman on various occasions. However, no enquiry was conducted with reference to the allegations raised in the complaint submitted by the petitioner. Thus, the petitioner is constrained to move the present writ petition.

3. The learned counsel appearing on behalf of the fifth respondent made a submission that the petitioner in his capacity as the Municipal Chairman during the relevant point of time committed many irregularities and illegalities into the affairs of the Municipality. The fifth respondent made allegations against the administration of the Municipality and the maladministration of the funds of the Municipality. However, no actions are taken in the said complaint also.

4. It is brought to the notice of this Court that the complaint given by the petitioner against the fifth respondent and the complaint given by the fifth respondent against the maladministration of the Municipality has not been looked into by the Competent Authorities for the purpose of initiating action on merits.

5. This being the factum established, the respondents 1 and 2 are directed to look into the complaint given by the petitioner as well as the complaint given by the fifth respondent and initiate all appropriate actions in the interest of public and if any illegality and misappropriation of funds of the Municipal Administration are identified, then all such persons, who all are responsible, are liable to be prosecuted in the manner known to law. The abovesaid exercise shall be carried out by the respondents 1 and 2, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner and the fifth respondent are directed to enclose the copy of their respective complaints/representations, documents if any to the first and second respondents along with a copy of this order, within a period of two weeks.



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6. With the abovesaid directions, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

Svn

To

- 1.The District Collector,
Tirupur District,
Tirupur.
- 2.The Superintendent of Police,
Tirupur District,
Tirupur.
- 3.The Deputy Superintendent of Police,
Palladam Range,
Palladam,
Tirupur District.
- 4.The Inspector of Police,
Palladam Police Station,
Palladam,
Tirupur District.

+1 cc to Mr.M.Purushothaman ., Advocate Sr.NO. 68928

+1 cc to Mr. M.Gnanasekar., Advocate Sr.NO. 69135

+1 cc to Government Pleader Sr.NO. 69055

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smi(CO)

A.SK(04.01.2022)