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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. NOS.13728, 13729, 13730 OF 2017

P.Raghule Amuthan

... Petitioner in all W.P.s

-vs-

1. The Director,
Rural Development Department,
(Panchayats), Panagal Maaligai, .
2. The District Collector,
Tiruppur District, Tiruppur.
3. The Superintendent of Police,
Tiruppur District, Tiruppur.
4. The Assistant Director of Panchayat,
Collectorate, Tiruppur, Tiruppur District.

...Respondents 1 to 4 in all W.P.s

- | | |
|--------------------|--|
| 5. Subramaniam | ...5 th Respondent in W.P.No.13728 |
| 6. Balasubramaniam | ... 5 th Respondent in W.P.No.13729 |
| 7. Kalimuthu | ...5 th Respondent in W.P.No.13730 |

PRAYER IN ALL WPs :

Writ Petitions filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the 2nd respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 01.04.2017 within a stipulated time as this court fixes.



For Petitioner in all W.P.s : Mrs.R.Hemalatha
for Mr.C.Prakasam

For Respondents in all W.P.s : Mr.N.R.R.Arun Natarajan
Government Pleader

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COMMON O R D E R

Since the issue raised in all the three writ petitions is one and the same, these writ petitions are heard and disposed of by this common order.

2. That the petitioner is having agricultural land at Kottamangalam Village, Chinnaveerampatti Village and Vadugapalayam Village, Udumalpet Taluk, Tiruppur District, where the petitioner and his father have been cultivating agricultural crops. In order to save the standing trees i.e., Coconut trees mainly from the drought area where there is no enough water available in that locality, the petitioner decided to get a proper permission from the Revenue Department and Village Panchayat by paying the track rent for the purpose of laying the pipeline.

3. In this regard when attempt was made to lay a pipeline the 5th respondent Panchayat President has allegedly demanded huge amount as bribe for giving permission for laying the pipeline.

4. It is the further case of the petitioner that on coming to know the said intention of the 5th respondent, the petitioner claimed to have further enquired about the intention and attitude of the 5th respondent in discharge of his duties as Village Panchayat President for the period of 2011 - 2016. It is the claim of the petitioner that, the fifth respondent has misappropriated funds by using forged documents, bills vouchers etc.,

5. Only in that context, in order to enquire into the matter and take a decision by the respondents, especially the 2nd respondent who is the Inspector of Panchayats under the provisions of the Tamil Nadu Panchayat Act, the petitioner has given a representation on 01.04.2017 and the said representation since has not been considered he has filed the present writ petitions with respective prayers.



6. Mrs.R.Hemalatha, learned counsel for the petitioner, who after having reiterated the aforesaid, would seek the indulgence of this court to give suitable directions to the respondents especially the 2nd respondent to decide the representation of the petitioner dated 01.04.2017.

7. Heard Mr.NRR Arun Natarjan, learned Sepcial Government Pleader, who would submit that, the 5th respondent is the Ex-President as his term was over admittedly in the year 2016 itself as per the averment made in the affidavit filed in support of the writ petition and therefore, if at all any complaint is given as claimed by the petitioner on 01.04.2017, the same would be disposed of on merits and in accordance with law. However since it is in the year 2017 the petitioner has claimed to have sent the representation and for all these years these writ petitions are pending before this Court, it is better that the petitioner sends or forwards a copy of representation dated 01.04.2017 to the second respondent ie., District Collector on receipt of the same, the second respondent shall dispose of the said representation in accordance with law.

8. Considering the limited scope of prayer sought for herein, this court is inclined to dispose of these writ petitions with the following orders.

9. That it is open to the petitioner to make a copy of the representation dated 01.04.2017 to the second respondent, who is the Inspector of Panchayats as per the Tamil Nadu Panchayat Act, within a period of two weeks from the date of receipt of copy of this order and if any such representation is re-submitted by the petitioner as indicated above, the second respondent shall consider the same and pass necessary orders on merits and in accordance with law within a period of eight weeks thereafter.

10. With these directions these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kst / rap



To

1. The Director,
Rural Development Department,
(Panchayats), Panagal Maaligai, .
2. The District Collector,
Tiruppur District, Tiruppur.
3. The Superintendent of Police,
Tiruppur District, Tiruppur.
4. The Assistant Director of Panchayat,
Collectorate, Tiruppur, Tiruppur District.

+1cc to the Government Pleader, S.R.No.59021

W.P. Nos.13728, 13729, 13730 of 2017

SSD(CO)
PM/02/12/2021