



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11420 of 2021

B.Poovanantham

...Petitioner

Vs.

1.The District Collector/Inspector of Panchayats,
Ramanathapuram District,
Ramanathapuram.

2.The Assistant Director of Panchayat,
Ramanathapuram District,
Ramanathapuram.

3.The Block Development Officer,
Ramanathapuram Union,
Ramanathapuram District.

4.R.Kaleeswaran,
The Vice-President,
Elamanoor Panchayat,
Ramanathapuram District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to grant approval for the resolution of Elamanoor Panchayat, dated 16.02.2021, divesting of the 4th respondent of his cheque signing authority in the light of the G.O.(MS).No.92, Rural Development (C) (III) Department, 26.03.1997, on the basis of the petitioner's representation, dated 08.02.2021.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents : Mr.R.Suresh Kumar for R1 & R2
Government Advocate

Mr.S.Shanmugavel for R3
Government Advocate

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus directing the first respondent to grant approval for the resolution passed by the Panchayat, on 16.02.2021, on the basis of the representation made by the petitioner, on 08.02.2021.



2. Heard Mr.R.Shankar Ganesh, learned counsel appearing for the petitioner, Mr.R.Suresh Kumar, learned Government Advocate, appearing for the 1st and 2nd respondents and Mr.S.Shanmugavel, learned Government Advocate appearing for the 3rd respondent.

3. It can be seen from records that already the third respondent has addressed a letter to the second respondent, on 26.02.2021, bringing to his notice the problems that are faced in the Panchayat due to the non cooperation of the Vice President by not signing the cheques. It is seen from the communication that an enquiry was conducted and a report was submitted in this regard and only thereafter, this letter was addressed by the third respondent to the second respondent.

4. When the matter came up for admission, this Court directed the learned Government Advocate to take instructions and report before this Court as to why the communication made by the third respondent has not been acted upon.

5. When the matter was taken up for hearing today, the learned Government Advocate based on written instructions submitted that due to the non cooperation on the part of the Vice President of the Panchayat, no salary has been disbursed to the employees for the last five months and there are repeated complaints to immediately solve the problem. The learned Government Advocate submitted that the second respondent has called for a meeting and that a decision will be taken at the earliest possible time.

6. Taking into consideration the facts and circumstances of the case and also the communication made by the third respondent to the second respondent, dated 26.02.2021 and after recording the submissions of the learned Government Advocate, there shall be a direction to the first and second respondents to immediately take action not later than two weeks from the date of receipt of a copy of this order and resolve the problem and ensure that the payment of salary and other payments are made at the earliest possible time without any further delay.

7. The petitioner is directed to make a fresh representation to the first and second respondents along with a copy of this order.

8. This writ petition is disposed of with the above directions. No costs.

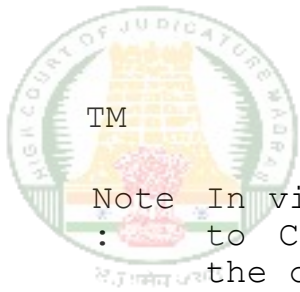
Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The District Collector/Inspector of Panchayats,
Ramanathapuram District,
Ramanathapuram.
- 2.The Assistant Director of Panchayat,
Ramanathapuram District,
Ramanathapuram.
- 3.The Block Development Officer,
Ramanathapuram Union,
Ramanathapuram District.

+1 CC to M/s.DICTUM LAW FIRM, Advocate (SR-23001[F] dated 16/07/2021)

+1 CC to M/s.SPL GP (SR-23179[F] dated 19/07/2021)

W.P. (MD) .No.11420 of 2021

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MGJ(20.07.2021) 3P 6C