



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.18861 of 2020

A.Ramachandran

... Petitioner

Vs.

1.The Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai - 600 009.

2.The Director of Town Panchayats,
7th and 8th Floor,
Urban Administrative Office Campus,
Santhome High Road,
Pattinapakkam, Chennai - 600 028.

3.The Joint Director of Town Panchayats,
7th and 8th Floor,
Urban Administrative Office Campus,
Santhome High Road,
Pattinapakkam, Chennai - 600 028.

4.The Director,
Directorate of Vigilance and Anti-Corruption,
No.293, MKN Road,
Alandur, Chennai - 600 016.

5.The District Collector,
Dindigul District,
Dindigul.

6.The Assistant Director (Town Panchayats),
Velu Natchiyar Complex,
Dindigul - 624 004.

7.The Executive Officer,
Town Panchayat,
Nilakottai, Dindigul District.

8.Thiru.Kottaisamy,
Then Executive Officer,
Nilakottai Town Panchayat,
Nilakottai,
Dindigul District.



9.Thiru.Jaffer Ali,
Sanitary Inspector,
Nilakottai Town Panchayat,
Nilakottai,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second and third respondents herein to conduct an enquiry upon petitioner's representation dated 18.02.2019 and to take appropriate action in accordance with law within a time frame fixed by this Court.

For Petitioner : Mr.R.Senthil Kumar
For Respondents 1 to 6 : Mrs.J.Padmavathi Devi,
Special Government Pleader
For Respondent No.7 : Mr.M.Rajarajan
For Respondents 8 & 9 : Mr.R.R.Kannan

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, this Writ Petition itself is taken up for final disposal.

2.Heard Mr.R.Senthil Kumar, learned Counsel appearing for the petitioner, Mrs.J.Padmavathi Devi, learned Special Government Pleader appearing for the respondents 1 to 6, Mr.M.Rajarajan, learned Counsel appearing for the seventh respondent and Mr.R.R.Kannan, learned Counsel appearing for the respondents 8 and 9.

3.This Writ Petition has been filed as a Public Interest Litigation praying for a direction upon the respondents 2 and 3 to enquire upon the representation and take appropriate action in accordance with law within a time frame.

4.After we have elaborately heard and carefully perused the averments set out in the affidavit filed in support of the petition and the nature of allegations in the representations given by the petitioner, we find that there is absolutely no *bonafide* in the writ petition to entertain it as a Public Interest Litigation. Admittedly, the eighth respondent is no longer in service as he has retired on 31.03.2020 and attained the age of superannuation. The ninth respondent has also been transferred to Salem.

5.The petitioner is a merchant, carrying on a business in a premises owned and leased out by the respondent Town Panchayat. When the fourth respondent called the petitioner for enquiry, he held abuse against him and said that he cannot appear before him.



Subsequently, the Joint Director from Chennai issued notice to him directing the petitioner to appear before him, the petitioner made very wild allegations against the third respondent himself. Hence, considering the attitude of the petitioner and the contradictions in the affidavit, we are not inclined to entertain this Writ Petition.

6. With the above observation, the Writ Petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

MR

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

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5. The District Collector,
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Dindigul.



6.The Assistant Director (Town Panchayats),
Velu Natchiyar Complex,
Dindigul - 624 004.

7.The Executive Officer,
Town Panchayat,
Nilakottai, Dindigul District.

+1 CC to M/s.RR KANNAN, Advocate (SR-16604[F] dated 20/04/2021)

+1 CC to M/s.SPL GP (SR-16712[F] dated 20/04/2021)

ORDER MADE IN
W.P. [MD]No.18861 of 2020

19.04.2021

RK(12.05.2021) 4P 10C