



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.6977 of 2020

V.Murugesan

...Petitioner

-Vs-

1. The District Collector/Inspector of Panchayats,
Nagapattinam, Nagapattinam District.
2. The Assistant Director of Panchayats,
Collectorate, Nagapattinam,
Nagapattinam District.
3. The Block Development Officer,
Thirumarugal Panchayat Union,
Thirumarugal, Nagapattinam Taluk & District.
4. Tmt. G. Thamarai
5. M.Gunasekaran
6. Kala
7. S.Kamalahasan

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to take appropriate action against the 5th and 7th respondents by complying with the Hon'ble Court order made in W.P.No.31535 of 2016 dated 20.02.2018.

For Petitioner : Mrs.R.Hemalatha

For Respondents : Mrs.V.Yamunadevi

Spl. Government Pleader [R1 to R3]

No Appearance for RR4 to 7

O R D E R

The prayer sought for herein is for a Writ of Mandamus, directing the 1st respondent to take appropriate action against the 5th and 7th respondents by complying with the Hon'ble Court order made in W.P.No.31535 of 2016 dated 20.02.2018.



2. That the petitioner was elected as one of the ward member in Kangalancheri Village Panchayat, the 4th respondent was elected as a President and the 5th respondent is her husband, the 6th respondent was elected as a Vice-President and the 7th respondent is working as a Panchayat Clerk. Against the private respondents, the petitioner had some grievance, therefore, he had given a representation already to the official respondents on 12.08.2016 and the said representation since was not considered by the official respondents, the petitioner already approached this Court and filed a writ petition in W.P.No.31535 of 2016, where he sought for a mandamus.

3. Considering the said representation, a learned Judge while disposing the said writ petition by order dated 20.02.2018, directed the official respondents therein also to consider the representation of the petitioner dated 12.08.2016 and pass orders on merits within a time frame.

4. However, it seems that the said representation was not considered by the official respondents and no orders have been passed.

5. In order to pass orders on the representation of the petitioner as directed by this Court on 20.02.2018, the petitioner has chosen to file the present writ petition with the aforesaid prayer.

6. Heard Mrs.R.Hemalatha, learned counsel appearing for the petitioner and Mrs.V.Yamunadevi, learned Special Government Pleader appearing for the respondents 1 to 3.

7. If at all the petitioner has got any grievance that, despite the orders having been passed by this Court, if the official respondents have not considered the representation of the petitioner dated 12.08.2016, the remedy open to the petitioner is to file appropriate contempt proceedings, if he is advised to do so, in case of any willful disobedience of the orders of this Court.

8. However, that will not give rights to the petitioner to file another writ petition seeking for a writ of mandamus to give a further direction to the same official respondents to comply with the order passed by this Court dated 20.02.2018 made in the earlier round of litigation.



9. That kind of prayer sought for in this writ petition cannot be entertained, therefore for the said ground, this Court feels that this writ petition is to be rejected. Accordingly, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

1. The District Collector/Inspector of Panchayats,
Nagapattinam, Nagapattinam District.
2. The Assistant Director of Panchayats,
Collectorate, Nagapattinam,
Nagapattinam District.
3. The Block Development Officer,
Thirumarugal Panchayat Union,
Thirumarugal, Nagapattinam Taluk & District.

+1 CC to Ms.V. Yamunadevi, Advocate sr 476

+1 CC to The Government Pleader sr 340.

W.P.No.6977 of 2020

GJ(CO)
SP(25/01/2022)