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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.21871 of 2014

K.Saravanan

... Petitioner

Vs.

- 1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat,
Chennai 600 009.
- 2.The District Collector,
Namakkal District,
Pin code 637 003.
- 3.The Revenue Divisional Officer,
Namakkal,
Pin Code 637 001.
- 4.The Thasildar,
Namakkal Taluk,
Namakkal District 637 001.
- 5.The Revenue Inspector,
Kalapanaickanpatty prikka,
Kalapanaickanpatty post,
Namakkal Taluk,
Namakkal District 637 404.
- 6.T.A.Gopalakrishnan,
The Village Administrative Officer,
Thirumalaipatty Village,
Thirumalaipatty post,
Namakkal Taluk,
Namakkal District 637 404.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first to fifth respondents to take necessary action on petitioner representation letter dated on 05.05.2014.



For Petitioner : Mr.A.Ramesh Manikandan
For Respondents : Mr.Yogesh kannadasan,
Special Government Pleader

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O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the first to fifth respondents to take necessary action on petitioner's representation dated on 05.05.2014.

2. The Special Government Pleader takes notice for the official respondents. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the resident at Door No.1/101, Pillaiyar Kovil Thottam, Thirumalaipatty Post, Namakkal District & Taluk, Tamil Nadu 637 404. The sixth respondent working as Village Administrative Officer in Thirumalaipatty Village. However, he has not stayed in that Village and he is staying in some other village, due to which, the petitioner is facing difficulty to meet him. As per the Tamil Nadu Ministerial Rules, Rule 38(b)(iii) - every person appointed as Village Administrative Officer shall reside in Village under his charge and shall continue to reside in same village. Thereby, the petitioner has given representation to the respondents on 05.05.2014. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.

4. The learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues a direction to the respondents to consider the petitioner's representation dated 05.05.2014 and take appropriate action against the 6th respondent within the reasonable time that may be stipulated by this Court.

5. The learned Special Government Pleader appearing on behalf of the official respondents submitted that in paragraph 6 of the counter filed by the 3rd respondent it is stated that the sixth respondent is having permanent residence at Gandhipuram H/o Periyakulam Village, which is 5 kms away from Thirumalaipatti Village. However, the sixth respondent's wife is suffering from neurological problems associated with hammeorrhage, she had undergone an operation for the ailment and



because of her health condition, the sixth respondent has not shifted his home to the above said Village. The Revenue Divisional Officer / third respondent stated in his Counter affidavit that the sixth respondent is discharging his duty diligently, without any impediments.

6. In view of the above counter affidavit filed by the third respondent, nothing survives for adjudication in this case. Hence, this Writ Petition stands closed. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Shk

To

1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat,
Chennai 600 009.

2.The District Collector,
Namakkal District,
Pin code 637 003.

3.The Revenue Divisional Officer,
Namakkal,
Pin Code 637 001.

4.The Thasildar,
Namakkal Taluk,
Namakkal District 637 001.

5.The Revenue Inspector,
Kalapanaickanpatty prikka,
Kalapanaickanpatty post,
Namakkal Taluk,
Namakkal District 637 404.

+1 CC to The Government Pleader sr 24546.

W.P. No.21871 of 2014

EV(CO)
SP(25/04/2022)