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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.16959 of 2014

1.T.Raja

2.K.Ramamoorthy

...Petitioners

Vs

1. The District Collector,
Coimbatore District,
Coimbatore.

2. The Assistant Director (Audit),
Rural Development Department,
Coimbatore.

3. The Block Development Officer (V.P.),
Sulur Panchayat Union,
Sulur Post,
Coimbatore District.

4. The Deputy Block Development Officer,
Small Savings,
Sulur Panchayat Union,
Sulur Post,
Coimbatore District.

5. Tmt.V.Nisha

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent the District Collector of Coimbatore to conduct fresh inquiry into the complaints dated 13.12.2013, 11.03.2014, 25.04.2014 and 17.05.2014 given by both the petitioners.

For Petitioners : No Appearance

For R1 to R4 : Mr.E.Sundaram
Government Advocate

For R5 : No Appearance



O R D E R

The petitioner is called absent.

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2. Mr.E.Sundaram, learned Government Advocate appears on behalf of the official respondents 1 to 4. R5 is a private respondent, however, there is no appearance on behalf of today, despite description of R5 is printed in the cause list.

3. The sum and substance of this writ petition is for a direction to the first respondent, District Collector, Coimbatore, to conduct a fresh enquiry into various complaints leveled by the petitioners as against the private respondent i.e., R5, who is the Panchayat Secretary of the Neelambur Panchayat & Post.

4. Various allegations had been made by the petitioners, who are agriculturists, residing withing the Panchayat Union of Sulur as against all respondents, vide representations to the Director of Rural Development and Panchayat Raj, the Hon'ble Chief Minister, Vigilance Commissioner, Secretary to Rural Development Department, Director of Vigilance and Anti-Corruption and Director of Rural development.

5. Enquiry has been sought into the allegations levelled as against one Mrs.Asantha Mary, Deputy Block Development Officer. Some of the representations have been returned/closed, stating that the authorities could not cause an enquiry as there was no specific offence that has been disclosed against the said individual. Hence, this writ petition seeking Mandamus.

6. The Block Development Officer/R4 has filed a counter, which reveals that 10 charges had been framed against the 5th respondent, and her explanation sought for. Since the explanation submitted was found to be unsatisfactory, the then Deputy Block Development Officer, (Small Savings), had been appointed as Enquiry Officer to enquire into the matter. A report was submitted, holding that the charges were not proved having charge No.5. Thereafter, the Block Development Officer took the matter up in line with the service regulations, heard the 5th respondent and concluded the same in accordance with law.

7. A perusal of the counter filed by R3 reveals the manner in which the authorities have proceeded with the matter and does not reveal any cause for alarm. That apart, the writ petition does not disclose any specific allegation against the individual except vague allegations wholly unsupported.



8. In light of the discussion as aforesaid and specifically in light of the counter filed by R3, which has not been controverted by way of rejoinder, I find no merit in this writ petition and the same is dismissed. No costs.

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Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

jeni/kak

To

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Assistant Director (Audit),
Rural Development Department,
Coimbatore.
3. The Block Development Officer (V.P.),
Sulur Panchayat Union,
Sulur Post,
Coimbatore District.
4. The Deputy Block Development Officer,
Small Savings,
Sulur Panchayat Union,
Sulur Post,
Coimbatore District.

+1cc to Government Pleader SR. No. 24136

W.P.No.16959 of 2014

KV (CO)
PR (19/04/2022)