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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.17601 of 2023

G.Jayaprakash

Petitioner

VS.

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

2.The District Collector,
Tiruppur District,
Tiruppur.

3.Mrs.Latha Kamachi Ayyavu

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the appeal filed by the petitioner on 26-9-2022, received on 27-09-2022, challenging the order passed by the 2nd respondent dated 10-6-2021 made in Na.Ka.No.2121/2020/A1 within the time stipulated.

For Petitioner : Mr.M.Devaraj

For Respondents : Mr.C.Selvaraj
Additional Government Pleader
for R1 & R2

**ORDER**

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This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to dispose of the appeal filed by the petitioner on 26.09.2022 within the time frame fixed by this Court.

2.Heard Mr.M.Devaraj, learned counsel appearing on behalf of the petitioner and Mr.C.Selvaraj, learned Additional Government Pleader appearing on behalf of the respondents 1 and 2.

3.Complaints were given against the President of the Village Panchayat on the ground of irregularities committed. Pursuant to the same, Show Cause Notice was also issued by the 1st respondent. This Show Cause Notice became the subject matter of challenge in W.P.No.15386 of 2020 and this Court disposed of the writ petition by an order dated 18.02.2021, directing the 1st respondent to proceed further after hearing all parties concerned and to take a final decision within a period of eight weeks.

4.The petitioner filed a contempt petition in Cont.Pet.No.1393 of 2021 on the ground that the order passed in the writ petition was not complied with. When the

contempt petition came up for hearing on 25.07.2022, it was brought to the notice of



this Court that the 1st respondent has already passed final order through proceedings dated 10.06.2021 and has dropped the action against the President of the Panchayat.

Recording the same, the contempt petition was closed and the petitioner was given liberty to challenge the decision taken by the 1st respondent in accordance with law. Accordingly, the petitioner filed an appeal under Section 205(12) of the Tamil Nadu Panchayat Act, 1994 before the 1st respondent. Since this appeal was not taken up and decided, the present writ petition has been filed before this Court.

5. Taking into consideration the limited relief sought in the present writ petition and without going into the merits of the case, there shall be a direction to the 1st respondent to deal with the appeal filed by the petitioner on 26.09.2022, on its own merits and in accordance with law after affording opportunity to all the parties concerned and a final decision shall be taken, within a period of eight weeks from the date of receipt of copy of this order.

6. This writ petition is disposed of with the above directions. No Costs.

14.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
SSR



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N. ANAND VENKATESH, J.

ssr

To

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

2.The District Collector,
Tiruppur District,
Tiruppur.

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