



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.18490 of 2023

and

WMP No.17730 of 2023

V.Muthulakshmi

.. Petitioner

vs.

1.The State of Tamilk Nadu
Rep.by its Secretary
Rural Development & Panchayat Raj Department
Fort St.George
Chennai 600 009.

2.The Commissioner of Rural Development
and Panchayat Raj
Office of the Directorate of Rural Development
and Panchayat Raj
Panagal Building
Saidapet
Chennai 600 015.

3.The District Collector
Coimbatore District
Coimbatore.

4.S.Chitra
The President
Kanjapalli Panchayat
Kanjappali Post
Annur Taluk
Coimbatore District.

.. Respondents



Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to take action against the 4th respondent, based on the complaint of the petitioner dated 23.04.2023 and consequently forbear the 4th respondent to pass a resolution in respect of Subject No.1 in the Agenda for the meeting on 23.06.2023.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondents 1 to 3 to take action against the 4th respondent based on the complaint given by the petitioner on 23.04.2023 and for a further direction to forbear the 4th respondent from passing any resolution in the meeting held on 23.06.2023.

2.When the writ petition came up for admission on 21.06.2023, this Court directed the learned Special Government Pleader to take instructions on the complaint given by the petitioner on 23.04.2023. The complaint that was given against the 4th respondent is that the 4th respondent, who is the President of the Panchayat had illegally granted building plan approval for 41 plot owners by taking illegal gratification from them. Further, the 4th respondent was also fabricated false and bogus documents and misappropriated the amounts. Pursuant to the same, the 4th respondent was also attempting to place the approval sought for by 41 persons in the meeting and the same was resisted by the members. Since the complaint given by the petitioner was not acted upon, the present writ petition was filed before this



3. When the matter was taken up for hearing today, the learned Special Government Pleader submitted that the copy of the complaint dated 23.04.2023, is not available. That apart, it was submitted that the complaint that is available in the typed set of papers will be acted upon and an independent audit will be conducted and based on the report given, the 3rd respondent will proceed further to take further action on the complaint.

4. In the considered view of this Court, some serious allegations have been made against the 4th respondent. Hence, till a final decision is taken by the 3rd respondent viz., the District Collector, Agenda with respect to the approval of 41 plots that is sought to be moved in the meeting, shall be kept in abeyance. Subject to the final decision taken by the 3rd respondent, the further course of action can be taken.

5. This writ petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petition is closed.

27.06.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation Case: Yes/No
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N. ANAND VENKATESH, J.

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To

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