



WEB COPY



WP.No.21499 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.21499 of 2023
and W.M.P.Nos.20866 & 20869 of 2023

Ashok Kumar

.. Petitioner

Versus

1.The District Collector
Cuddalore District

2.The Assistant Director of Panchayat
Office of the Assistant Director
Virudhachalam

3.The Block Development Officer
Panchayat Union
Shrimushnam, Cuddalore District

4.The President
Mudikandanallur Panchayat
Shrimushnam, Cuddalore District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the fourth respondent from any manner interfering with the petitioner functioning as the OTH Motor Operator in the Mudikandanallur Panchayat and consequently to pay the due wages along with arrears as per the directions of the 3rd respondent dated 10.05.2023 in Na.Ka.No.B2/546/2023.



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For Petitioner : Mr.N.A.Nassir Hussain
For Respondents : Mr.E.Vedabagath Singh for R1 & R2
Special Government Pleader
Mr.S.Prabhakaran for R3 & R4
Government Advocate

ORDER

This writ petition has been filed seeking to forbear the fourth respondent from any manner interfering with the petitioner functioning as the OTH Motor Operator in the Mudikandanallur Panchayat and consequently to pay the due wages along with arrears as per the directions of the 3rd respondent dated 10.05.2023 in Na.Ka.No.B2/546/2023.

2. It is the grievance of the writ petitioner that the fourth respondent/Panchayat President is interfering with the petitioner functioning as the OTH Motor Operator in the Mudikandanallur Panchayat and dismissed the petitioner from service vide Resolution dated 04.04.2022. Hence, the petitioner made a representation to 1 to 3. The first respondent passed an Order holding that the dismissal of the petitioner from service is bad in law, deposite, the same, the fourth respondent is interfering with the petitioner functioning as the OTH Motor Operator in the Mudikandanallur Panchayat. Hence, this writ petition.

3. Heard both sides and perused the materials placed on record. This



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Court is of the view that if at all the Order of the first respondent is not implemented, it is for the petitioner to workout his remedy to implement the Order of the first respondent. Merely, the order of the first respondent is not being implemented, there cannot be general injunction against the Village Panchayat President. He is, in fact, the Executive Authority of the Mudikandanallur Village Panchayat.

4. Such view of the matter, I do not find any merits in this case and Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

21.07.2023

dhk

Index:Yes/No

Internet: Yes/No

Neutral Citation:Yes/No

N.SATHISH KUMAR, J.



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To

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