



W.P.No.28287 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.28287 of 2023

V.Komala

...Petitioner

Vs.

- 1.State rep.by
The Secretary to Government
Municipality Administration & Water Supply Department
Secretariate
Fort.St.George, Chennai.
- 2.The Collector
Chenglpattu District
Chengalpattu.
- 3.The Deputy Director
District Rural Development Office
Gokulapuram
Chengalpattu 603 002.
- 4.The Tahsildar
Chitlapakkam
West Tambaram
Chennai 600 045.



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5.The Block Development Officer
Chitlapakkam Main Road
Kamarajar Colony, Nehru Nagar
Chitalapakkam
Chennai 600 064.

6.The Assistant Director (Panchayats)
Chengalpattu
Chengalpattu District.

7.C.K.Jegadeeshwaran
President
Agaram South Panchayat
Camp Road, Puduvantheri
Madapakkam, Chennai 600 126.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to complete the enquiry against the seventh respondent under Section 205 of the Tamil Nadu Panchayats Act, 1994 based on the report in Na.Ka.No.0286/2023/A1 dated 28.07.2023 on the file of the fifth respondent which was submitted before the second respondent.

For Petitioner : Mrs.S.Anitha for R1 to R4 & R6
Special Government Pleader

For Respondents : M/s.Tamil Nidhi for R5
Additional Government Pleader



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ORDER

The petitioner herein seeks a direction to the second respondent to complete enquiry against the seventh respondent, the President of the Panchayat under Section 205 of the Panchayats Act, based on report of the fifth respondent dated 28.07.2023.

2. The petitioner is a Ward Councilor of Akaram South Panchayat, Camp Road, Puduvanthéri, Madampakkam. The petitioner submitted a complaint to the respondents 2 to 6 on 11.08.2023 making allegations of misappropriation of funds against the seventh respondent. It is also stated by the learned counsel for the petitioner that the fifth respondent already submitted a report before the second respondent in his proceedings in Na.Ka.No.0286/2023/A1 dated 28.07.2023 regarding the acts and omissions of seventh respondent and in spite of the same the first respondent has not taken any further action.



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3. Mrs.S.Anitha, learned Special Government Pleader takes notice for the respondents 1 to 4 & 6 and Mr.Tamil Nidhi, learned Additional Government Pleader takes notice for the fifth respondent.

4. It is seen from the documents filed in the typed set of papers the fifth respondent already filed a report before the second respondent regarding the discrepancy with regard to the vehicles used for removal of garbages in the Panchayat.

5. The main grievance of the petitioner is that the petitioner submitted a representation making certain allegations against the seventh respondent as early as 11.08.2023, the second respondent has not taken any action on the complaint.

6. In view of the same, without expressing any opinion on the allegation made by the petitioner, this Court is inclined to issue a direction to the second respondent to consider the representation of the petitioner dated 11.08.2023 in the light of the report submitted by the fifth respondent dated



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28.07.2023 and pass final orders after giving opportunity to the petitioner as well as seventh respondent within a period of 8 weeks from the date of receipt of copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

27.09.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation Case : Yes/No
dna

To

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S.SOUNTHAR, J.
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