



W.P.No.32593 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.32593 of 2023

R.Rajendran

.. Petitioner

Vs.

1. District Collector / Inspector of Panchayaths
Mayiladuthurai District, Mayiladuthurai.

2. Assistant Director of Panchayats
O/o. Collectorate
Mayiladuthurai Distric, Mayiladuthurai.

3. A.Kanagaraj

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the first respondent to pass necessary orders as against the third respondent in the light of the orders made in W.P.No.6688 of 2023 dated 13.03.2023.

For the Petitioner

: Mr.G.Pugazhenthhi

For the Respondents

: Mr.P.Muthukumar
State Government Pleader
for R1 and R2



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ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.G.Pugazhenthir, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for respondents 1 and 2.

2. The present public interest litigation seeks to implement the order passed by the learned Single Judge of this Court under order dated 13.03.2023 in W.P.No.6688 of 2023.

3. In W.P.No.6688 of 2023, the learned Single Judge of this Court, under order dated 13.03.2023, has directed the District Collector-cum-Inspector of Panchayat, Mayiladuthurai District to pass necessary orders afresh after observing the formalities as required within a period of four weeks from the date of receipt of a copy of the said order.

4. Learned counsel for the petitioner submits that the aforesaid



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order has not been complied by the respondent authority, so the present writ petition is filed.

5. We may hasten to observe that the petitioner has wrongfully invoked the jurisdiction of this Court for entertaining the public interest litigation. The learned Single Judge of this Court has already passed an order directing the authority to pass necessary orders afresh. If the said order is not complied by the authority, a public interest litigation is not the remedy for the same. There are other avenues open.

6. In the light of that, the present petition stands dismissed with costs. Costs in cause.

(S.V.G., CJ.)

(D.B.C., J.)

20.11.2023

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(drm)

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