



W.P. No. 32524 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 32524 of 2023

M.Raja @ Asirvatham

... Petitioner

-VS-

1. The State Rep. By
The District Collector
The District Collector Office
Villupuram District.

2. The Director
District Rural Development
The District Collector Office
Villupuram.

3. The Block Development Officer
Office of Block Development Office
Thiruvannainallur
Villupuram District.

4. The Tahsildar
Office of Tahsildar Office
Thiruvannainallur Taluk
Villupuram District.

5. Suveetha

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the First and Second Respondents to take action against the Fifth Respondent pursuant to Petitioner's representation dated 13.09.2023.



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For Petitioner : Mr. R.Thirumoorthy
For Respondents : Mr. M.Alagu Gowtham (RR1, 2 & 4)
Mr. Abishek Murthy (R3)

ORDER

Heard Mr. R.Thirumoorthy, Learned Counsel for the Petitioner, Mr. M.Alagu Gowtham, Learned Counsel, who takes notice for the First, Second and Fourth Respondents and Mr. Abishek Murthy, Learned Counsel, who takes notice for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Fifth Respondent, notice to it is dispensed with.

3. According to the Petitioner, he had made a representation dated 30.09.2023 to the First and Second Respondents complaining about the Fifth Respondent, who is the President of the Thaduththondur Village, Thiruvannainallur Taluk, Villupuram District, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.



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4. Learned Government Advocate appearing for the First and Second Respondents, on instructions, states that the First Respondent had already conducted enquiry on various complaints and in furtherance to the reports received from the Third Respondent, an interim arrangement revoking the power to withdraw the amounts of the panchayat by using cheques has already been passed. It is further stated that the representation dated 13.09.2023 made by the Petitioner would be duly considered and orders would be passed expeditiously.

5. Having regard to the aforesaid submissions made, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the First Respondent shall immediately examine the representation dated 13.09.2023 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;



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(iii) in the event of not being satisfied with the requirements even thereafter,

an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;

(iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment; and

(v) the report of such compliance shall be filed by 30.06.2024 before the Registrar (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

20.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 08.01.2024.

Maya



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To

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1. The District Collector
The District Collector Office
Villupuram District.
2. The Director
District Rural Development
The District Collector Office
Villupuram.
3. The Block Development Officer
Office of Block Development Office
Thiruvannainallur
Villupuram District.
4. The Tahsildar
Office of Tahsildar Office
Thiruvannainallur Taluk
Villupuram District.

Copy to

1. The Registrar (Judicial)
Madras High Court,
Chennai 600 104.
2. M.Raja @ Asirvatham
S/o. Munusamy,
District Secretary,
Revolutionary Socialist Party,
No.5/63, Kamarajar Nagar, Thaduthatkondur Village,
Thiruvannanallur Taluk,
Villupuram District 607 203.



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P.D. AUDIKESAVALU, J.

Maya

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