



W.P.No.35009 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.35009 of 2022

Kanchi M. Manoharan

... Petitioner

Vs.

1.The Inspector of Panchayat/The District Collector
Kanchipuram District Collector Office
Kanchipuram-631501

2.The Assistant Director (Panchayat)
Kancheepuram District
Kanchipuram-631 501

3.The President
Uthukkadu Panchayat,
Walajabad Taluk
Kanchipuram District

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the first respondent to dispose of the petitioner's representation dated 22.08.2022 in accordance with law and merits.



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For Petitioner : Mr.R.Ravi

For Respondents : Mr.N.Naveen Kumar, Govt.Advocate

ORDER

This writ petition has been filed to direct the first respondent to dispose of the petitioner's representation dated 22.08.2022 in accordance with law and merits.

2. It is the contention of the Writ Petitioner that the 3rd respondent the elected president has acted against the interest of the Panchayat. Therefore, the petitioner has brought out several allegations to the knowledge of the respondents and also given a representation. However, no action has been taken. It is his further contention that though action is initiated by the Collector U/s. 203 of the Tamil Nadu Panchayat Act and power of signing the cheques is also taken away from the 3rd respondent. Such action is only ornamental and not fructified into serious resort. Therefore, his representation has to be considered.

3. It is to be noted that the main allegation of the petitioner that certain irregularities committed by the 3rd respondent. In this regard the



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Collector has already initiated proceedings, which is not been disputed. The cheque signing power of 3rd respondent also taken away. Since the action is already initiated U/s. 203 of the Act , the contention of the learned counsel for the petitioner that it is only ornamental cannot be countenanced. One cannot expect that severity of the punishment to be on the whims and fancies of the parties. When the proceedings has already been initiated by the Collector, the same Collector cannot be directed to consider the representation of the petitioner on the similar set of allegations and pass orders.

I do not find any merits in the Writ Petition. Writ Petition is dismissed. No costs.

06.01.2023

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Index:Yes/No

Speaking/Non-speaking order

Neutral citation:Yes/No



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N. SATHISH KUMAR, J.

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To

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