



W.P.(MD)No.4541 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.4541 of 2021

S.Kumar

... Petitioner

Vs.

- 1.The Secretary to Government of India,
Ministry of Rural Development,
Krishi Bhavan,
Dr.Rajendra Prasad Road,
New Delhi.
- 2.The Principal Secretary to Government of Tamil Nadu,
Department of Rural Development of Panchayat Raj,
Secretariat, Chennai-600 009.
- 3.The Director of Rural Development and Panchayat Raj,
Directorate of Rural Development of Panchayat Raj,
Panagal Building Road,
Chennai-600 015.
- 4.The District Collector,
Pudukkottai District.
- 5.The Assistant Director of Panchayat,
Office of the District Collector,
Pudukkottai District.
- 6.The Block Development Officer (Village Panchayats),
Office of the Panchayat Union,
Thirumayam Post and Taluk,
Pudukkottai District.



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7.Karupayee
8.Subramanian
9.Manoharan

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents 1 to 6 to take appropriate action against the respondents 7 to 9 with regard to various irregularities taken place in the administration of Pulivalam Village Panchayat, Pudukkottai District on the basis of the petitioner's representation dated 02.11.2020.

For Petitioners	: Mr.P.Ganapathi Subramanian
For R2 to R5	: Mr.R.Ragavendran Government Advocate
For R1	: Mr.R.Arjunarajan
For R6	: Mr.A.Muthukaruppan
For R7	: Mr.S.Vimal Raj
For R8 & R9	: Mr.D.Ramesh Kumar

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents 1 to 6 to take action against the respondents 7 to 9 on the ground that several irregularities have taken place in the administration of Pulivalam Village Panchayat, Pudukkottai District on the basis of the petitioner's representation dated 02.11.2020.



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2.The sixth respondent has filed counter affidavit. The relevant

portions in the counter affidavit are extracted hereunder:

“5.It is humbly submitted that after the receipt of the representation from the petitioner dated 26.01.2020, several inspection and enquires has been conducted by the 5th respondent in person at office the 7th respondent herein. But there was no prima facie material as against the 7th respondent herein and all the complaints are merely oral and bald allegations and not even a single occasion the writ petitioner to participate in the enquiry held on 29.12.2020 or any other date, but for the reasons best known to the writ petitioner he did not appear before the said enquiry to substantiate his complaint. Now by suppressing all the facts they preferred the present writ petition to wreck personal vengeance as against the 7th respondent's family members.

6. It is humbly submitted that the writ petitioner's sister is none-other than the wife of the 8th respondent herein there is some misunderstanding between the writ petitioner's sister and the 8th respondent. Hence, the writ petitioner frequently made several petitions as against the 7th respondent after she was elected village president of Pulivalam and it was advised to the writ petitioner and the 7th respondent not to use the Government sector for their personal vengeance. Even though he made several false allegations and bald allegations against the 7th respondent without any prima facie material and evidence and further I denied the averments made in the affidavit and reserve my rights to file additional counter if any required in future.”

3.It is clear from the above that the petitioner was called for enquiry and for some reasons, the petitioner did not participate in that enquiry. It is also



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seen that there is an internal dispute within the family and that is sought to be agitated by means of a complaint.

4.This Court does not find any merit in this writ petition and accordingly, this Writ Petition stands dismissed. No costs.

12.10.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
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To

1.The Principal Secretary to Government of Tamil Nadu,
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2.The Director of Rural Development and Panchayat Raj,
Directorate of Rural Development of Panchayat Raj,
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3.The District Collector,
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4.The Assistant Director of Panchayat,
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N.ANAND VENKATESH, J.

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