



W.P(MD)No.8746 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8746 of 2015

S.Murugan

... Petitioner

Vs.

1.The District Collector,
Pudukkottai.

2.Chinnaiah

3.P.Durairaj

... Respondents

*(R3 is suo motu impleaded vide order dated
21.08.2023 in W.P.(MD)No.8746 of 2015 by
GRSJ)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to take appropriate action against the 2nd respondent under the provisions of Tamil Nadu Panchayat Act, 1994 by considering the petitioner's representation dated 24.3.2015 within a stipulated time.



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For Petitioner : Mr.RMS.Sethumaran

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R1.
Mr.G.Thalaimutharasu for R2.
Mr.Babu Rajendran for R3.

ORDER

Heard both sides.

2.The petitioner has alleged that the second respondent during his tenure as Panchayat President (2011 – 2016) had indulged in irregularities. He wanted action to be taken by the District Collector. Since no action was taken, the present writ petition came to be filed.

3.Apprehending that the petitioner may join hands with the second respondent, the third respondent had got himself impleaded in the present writ proceedings.



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4. When the matter was taken up on the last occasion, I called upon the learned Special Government Pleader to make clear their stand in the matter. Today 21.08.2023, the learned Special Government Pleader informs the Court that the Block Development Officer (Village Panchayats), Ponnamaravathy had held enquiry and come to the conclusion that there is no merit in the allegations made by the writ petitioner and that the complaint was lodged out of election motive.

5. The Block Development Officer (Village Panchayats), Ponnamaravathy is directed to serve a copy of the enquiry report on the petitioner as well as the impleaded third respondent. It is open to either of them or both of them to file their objections before the District Collector, Pudukkottai. The District Collector, Pudukkottai is directed to consider the report of the Block Development Officer, Ponnamaravathy in the light of the objections that may be given by the petitioner or the third respondent and pass final order. The copy of the final order shall also be served on the objectors.



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6. With this liberty to the petitioner and the third respondent and direction to the first respondent, this writ petition is disposed of. No costs.

21.08.2023

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

The District Collector,
Pudukkottai.



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G.R.SWAMINATHAN, J.

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