



W.P. No. 36317 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM

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

W.P. No. 36317 of 2023

V.Palanivelu

... Petitioner

-VS-

1. The Tamil Nadu Local Bodies Ombudsman
No.100, Anna Salai
Guindy, Chennai – 600 032.
2. The Commissioner of Municipal Administration
No.75, Urban Administrative Building
MRC Nagar, Santhome High Road
Raja Annamalaipuram
Chennai – 600028.
3. The Commissioner
Mayiladuthurai Municipality
Pattamangala Street
Mayiladuthurai – 609001.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to dispose of the complaints of the Petitioner dated 03.08.2023, 30.09.2023 and 16.10.2023 as early as possible on merits and in accordance with law within a time frame to be fixed by this Court.



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W.P. No. 36317 of 2023

For Petitioner : Mr. C.Munusamy
For Respondents : Mr. B.Nedunchezian (R1)
Mr. V.Ravi (R2)
Mr. P.Srinivas (R3)

ORDER

Heard Mr. C.Munusamy, Learned Counsel for the Petitioner and Mr. B.Nedunchezian, Learned Counsel appearing for the First Respondent, Mr. V.Ravi, Learned Special Government Pleader appearing for the Second Respondent and Mr. P.Srinivas, Learned Counsel takes notice for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that his complaints dated 03.08.2023, 30.09.2023 and 16.10.2023 made under the Tamil Nadu Local Bodies Ombudsman Act, 2014, before the First Respondent have not been taken up for hearing, which has necessitated the filing of this Writ Petition.

3. In furtherance to the order passed on 08.01.2024 by this Court, the Secretary of the First Respondent has filed Counter-Affidavit dated 14.02.2024 explaining that written-statement of defence/report with relevant documents



W.P. No. 36317 of 2023

have been called from the Commissioner, Mayiladuthurai Municipality by

Proceedings dated 11.01.2024 under the Tamil Nadu Local Bodies Ombudsman (Manner of Filing, Inquiry and Disposal of Complaints) Rules, 2015, which is awaited. It is further informed that the office of Ombudsman is vacant from 08.01.2024, and as and when the appointment to that post is made, the complaints made by the Petitioner would be taken up for hearing.

4. In view of the said action taken, nothing remains for further consideration, but it would not preclude the Petitioner, if he still has any further grievance, from working out his remedies before the proper forum in the manner recognized by law.

In the result, the Writ Petition disposed with the aforesaid observations.

No costs.

20.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 05.06.2024.

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W.P. No. 36317 of 2023

To

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W.P. No. 36317 of 2023

P.D. AUDIKESAVALU, J.

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W.P. No. 36317 of 2023

20.02.2024