



W.P.(MD).No.2529 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.2529 of 2024
and
W.M.P.(MD).No.17826 of 2024

T.Chandrasekaran

... Petitioner

Vs.

- 1.The Director of Rural Development and Panchayat Raj,
Directorate of Rural Development and Panchayat Raj,
Panagal Building,
Chennai.
- 2.The District Collector,
Collectorate,
Trichy.
- 3.The Assistant Director of Panchayats (Audit),
Trichy Division,
Trichy.
- 4.The Assistant Director of Panchayats,
Trichy Division,
Trichy.
- 5.The Block Development Officer,
Thathaiyangarpet,
Musiri Taluk,
Trichy.



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6. The Panchayat President,
Mangalam Village Panchayat,
Thathaiyangarpet Union,
Musiri Taluk,
Trichy District.

7. Sujatha

8. Poraikizhan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 2nd to 4th respondents herein to take appropriate action as against the 6th to 8th respondents in light of petitioner's representations dated 05.06.2023 and 12.06.2023, consequently expedite the further proceedings in செ.மு.அ4/2486/2023/உ.இ.(உள) dated 13.10.2023 on the file of the 3rd and 4th respondents herein.

For Petitioner : Mr.R.Murugappan
For R-1 to R-5 : Mr.P.Thilak Kumar
Government Pleader
For R-6 to R-8 : Mr.K.Mahendran

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

This Writ Petition has been filed for Mandamus to direct the respondents 2 to 4 herein to take appropriate action as against the respondents 6 to 8 in the light of the petitioner's representations dated 05.06.2023 and 12.06.2023 and



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consequently expedite the further proceedings dated 13.10.2023 on the file of the respondents 3 and 4 herein.

2. The petitioner herein had given a representation to the official respondents on 12.06.2023 to take action against the respondents 6 to 8 for abuse of power and misappropriation of funds. Since the said representation was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the respondents 1 to 4 herein to consider the petitioner's representation dated 12.06.2023, on its own merits and pass appropriate orders in accordance with



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law, after giving due opportunity to the petitioner and the respondents 6 to 8 herein, within a period of three (3) months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(M.S.R.,J.) (A.D.M.C.,J.)
27.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

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3. The Assistant Director of Panchayats (Audit),
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4. The Assistant Director of Panchayats,
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Trichy.

5. The Block Development Officer,
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6. The Panchayat President,
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