



WEB COPY

WP No. 2247 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 2247 of 2024

AND WMP NO. 2451 OF 2024

S.Arunkumar,

..Petitioner(s)

Vs

1. The Local Bodies Ombudsman,
Tamil Nadu Local Body's Ombudsman,
100 Anna Salai, Chennai - 600 032.

2. Kavitha

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for records of 1st Respondent in Order No.181/Peru/2023 17/08/2023 quash the same as arbitrary and without jurisdiction.

For Petitioner(s) : Ms.S.Suneetha

For Respondent(s) : No appearance of R1
Mr.R.Nalliyappan for R2

ORDER

This writ petition is filed to call for the records of 1st Respondent in Order No.181/Peru/2023 17/08/2023 and quash the same.



2. Learned counsel for the petitioner would submit that the petitioner is the Executive Officer of Ammapettai Town Panchayat. In order to execute various development works under the Member of Legislative Assembly Local Area Development Scheme Fund for 2021-2022, the District Collector had granted an administrative sanction. Accordingly, tenders were called for construction of storm water drain with culvert at Kumaran Nagar linking up Ganapathi Nagar in Ward II of Ammapettai Town Panchayat and the said work was granted to and in favour of M/s.Lakshmi and Co., for tender estimate of Rs.8.70 lakhs. In this regard, the Councillor of Town Panchayat has passed a resolution dated 31.05.2022. Under these circumstances, the third respondent herein made a complaint before the first respondent, as if the said company has constructed the storm water drain with culvert at Ponni Nagar instead of Kumaran Nagar, which was entertained by the first respondent and made a recommendation to the Director of Town Panchayat for taking disciplinary action as against the petitioner and M/s.Lakshmi and Co., Challenging the said order dated 17.08.2023, the petitioner has come forward with the present writ petition.

3. Per contra learned counsel appearing for the second respondent would fairly submit that no opportunity was given to M/s.Lakshmi and Co., however, fair opportunity was given to the petitioner before the first respondent, wherein, it is cleanly established that the petitioner has failed to supervise the work

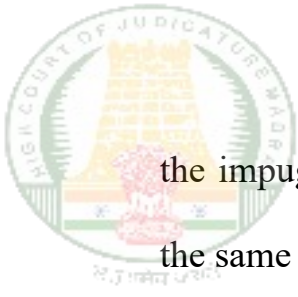


carried out in Ammapettai Town Panchayat. Thereby, the first respondent issued a direction to take disciplinary action against the petitioner, which need not be interfered with. Accordingly, he prays for dismissal of this writ petition.

4. Heard the learned counsel on either side and perused the materials available on record.

5. Admittedly, the Town Panchayat passed a resolution dated 31.05.2022 by awarding a contract in favour of M/s.Lakshmi and Co., who inadvertently constructed the storm water drain with culvert in Ponni Nagar, instead of Kumaran Nagar. Therefore, the said company filed an affidavit before the first respondent that they will not claim any amount and as per the resolution, they have constructed the storm water drain with culvert at Kumaran Nagar. Despite which, the first respondent made a recommendation to take a disciplinary action against the petitioner and other officials, on the ground as if the petitioner failed to carry out necessary supervision.

6. In the present case, as per the resolution passed by the council, the storm water drain with culvert was constructed in Kumaran Nagar. Hence, there was no lapse on the part of the petitioner. In fact, the Town Panchayat has doubly benefited by the culvert on single payment to M/s.Lakshmi and Co., Hence, no penal action required to be taken against the petitioner. Accordingly,



the impugned order passed by the first respondent is liable to be set aside and the same is hereby set aside.

WEB COPY

In the result, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

10-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VM

To:

The Local Bodies Ombudsman,
Tamil Nadu Local Body's Ombudsman,
100 Anna Salai, Chennai - 600 032.



WEB COPY

WP No. 2247 of 2



M.DHANDAPANI J.

VM

WP No. 2247 of 2024

10-02-2026