

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS

JOLIET TOWNSHIP ROAD DISTRICT,)	
)	
PLAINTIFF,)	
)	
V.)	Case No.
)	
JOLIET TOWNSHIP,)	
)	
Defendant.)	

**COMPLAINT FOR WRIT OF MANDAMUS AND
MANDATORY INJUNCTIVE RELIEF**

NOW COMES Plaintiff, JOLIET TOWNSHIP ROAD DISTRICT, by and through its attorney, LAW OFFICES OF ROBERT T. HANLON & ASSOCIATES, P.C., with its Complaint for Writ of Mandamus and Mandatory Injunctive Relief to be issued against Defendant, JOLIET TOWNSHIP, to approve Plaintiff’s budget and in support of this complaint, states as follows:

Parties

1. Plaintiff, JOLIET TOWNSHIP ROAD DISTRICT (hereinafter “ROAD DISTRICT”), is a local unit of government situated within Will County, Illinois.
2. Defendant, JOLIET TOWNSHIP, is a separate unit of government situated in Will County, Illinois.
3. On or about June 19, 2020, the Joliet Township Highway Commissioner, MIKE TURNBULL, submitted a budget to the Clerk of Joliet Township to post in accord with the budgeting provisions of the Township Code and the Highway Code.
4. Joliet Township’s Clerk then posted the ROAD DISTRICT’S proposed budget for more than thirty (30) days in accord with the pertinent provisions of the Township Code and the Highway Code.

5. However, Joliet Township's Clerk refuses to place the budget on the agenda for mandatory board action. Moreover, the Joliet Township Board refuses to act on the budget of the ROAD DISTRICT.

6. The fiscal year ended March 30, 2020.

7. The ROAD DISTRICT may operate under the prior year's budget for a period of ninety (90) days.

8. At present, the ROAD DISTRICT has no approved budget and, therefore, cannot pay any of its bills because there is an absence of a budget.

9. A writ of mandamus is necessary to compel Joliet Township to perform its ministerial duties with respect to the ROAD DISTRICT budget.

10. The ROAD DISTRICT has no other adequate remedy at law.

11. The ROAD DISTRICT has and will continue to suffer irreparable injury because it will not be able to maintain the roads of the ROAD DISTRICT if it cannot meet its obligations to others.

12. Moreover, the issuance of a writ of mandamus is in the best interest of the public as a properly functioning road district serves the interests of the people.

13. The health safety and welfare of the users of Joliet Township roads is likely to be impaired because the ROAD DISTRICT will not be able to obtain the supplies and materials necessary to protect the citizens using the ROAD DISTRICT'S roads.

WHEREFORE, Plaintiff, JOLIET TOWNSHIP ROAD DISTRICT, prays that this Honorable Court grant the following relief:

- A. Issue a writ of mandamus compelling and ordering Defendant, JOLIET TOWNSHIP, to take the mandatory action to approve Joliet Township Road District's budget:
- B. Enter a preliminary mandatory injunction commanding Defendant, JOLIET TOWNSHIP, to approve Joliet Township Road District's budget; and

C. For any such further relief as this Court deems equitable and just.

Dated this 1st day of September, 2020.

Respectfully submitted,

JOLIET TOWNSHIP ROAD DISTRICT, Plaintiff

By: /s/Robert T. Hanlon

Robert T. Hanlon, Plaintiff's Attorney

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