



W.P.(MD)No.22297 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 22297 of 2021

P.Senthilkumar

... Petitioner

Vs.

- 1.The District Collector
Collectorate,
Thoothukudi District.
- 2.The Assistant Director of Panchayat,
O/o.The Assistant Director,
Collectorate,
Thoothukudi District.
- 3.Vasantha
The Block Development Officer (Village Panchayat)
Thoothukudi Panchayat,
Office at Pudukottai,
Thoothukudi District.
- 4.Thalaivai Sundaram
The Assistant Engineer,
Thoothukudi Panchayat,
Thoothukudi District.



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5.A.Selva Prabha
W/o.Athisayaraj,
the Panchayat President,
Perianayagapuram Village,
Korampallam Post,
Thoothukudi District.

6.J.Ponmari Selvaraj
S/o.Jeyasingh,
the Vice President,
K.Subramaniapuram,
Korampallam Post,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 and 2 to take appropriate action against the respondents 3 to 6 for breach of guidelines in G.O.Ms.No.203 dated 20.12.2007 (Rural Development and Panchayat Raj (PR.1) Department by considering the representation dated 23.11.2021 made by the petitioner.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.B.Saravanan - for R1 & R2
Additional Government Pleader

Mr.M.Prakasam - for R3

Mr.V.Angusamy - for R5 & R6



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ORDER

This writ petition is filed seeking direction to the respondents 1 and 2 to take appropriate action against the respondents 3 to 6 for breach of guidelines in G.O.Ms.No.203 dated 20.12.2007 (Rural Development and Panchayat Raj (PR.1) Department, by considering the representation, dated 23.11.2021.

2. Heard Mr.I.Pinaygash, the Learned Counsel appearing for the petitioner, Mr.B.Saravanan, the Learned Additional Government Pleader appearing for the respondents 1 & 2, Mr.M.Prakasam, the Learned Counsel appearing for the 3rd respondent, Mr.V.Angusamy, the Learned Counsel appearing for the respondents 5 & 6 and perused the material documents available on record.

3. Pending writ petition, the respondents have considered the petitioner's claim and has passed an order, dated 04.04.2022. The relevant portion is extracted hereunder:



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□எனவே படிக்கப்பட்ட 4 இல் காணும் விசாரணை அலுவலரின் அறிக்கையின் அடிப்படையில் கிராம ஊராட்சித் தலைவர் ஊராட்சி நிர்வாகத்தை மீறி தன்னிச்சையாக செயல்பட்டுள்ளதாலும், உரிய ஒப்பந்தப்புள்ளி நடைமுறைகள் பின்பற்றப்படாமலும், உரிய வேலை மதிப்பீடுகள் தயாரிக்கப்படாமலும் மேற்படி பணி மேற்கொண்டமைக்கான மொத்த செலவினத்திற்கும், கோரம்பள்ளம் கிராம ஊராட்சித் தலைவர் மட்டுமே முழு பொறுப்பாவார் எனவும் ஆணையிடப்படுகிறது. □

4. Therefore, the appropriate authority has fixed liability on the President and it has been directed the expenses should be borne by the President alone and the expenses will not be on the Panchayat Government funds. Recording the said submission, nothing survives for adjudication.

5. Since the prayer sought for in the writ petition was already granted this Writ Petition is closed. No Costs.

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

31.08.2023

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**Order made in
W.P.(MD)No. 22297 of 2021**

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