

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02-02-2015

CORAM

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WRIT PETITION No.2422 of 2015
and
M.P.Nos.1 and 2 of 2015

M.Vimalan

.. Petitioner

vs

1. The Commissioner of Municipal
Administration
Directorate4 of Municipal
Administration
Ezhilagam Annex,
Chepauk, Chennai 600 005
2. The Regional Director of Municipal
Administration
Vellore Region
Sarathi Nagar, Kakithapattarai,
Vellore 632 012
Vellore District
3. The Executive Engineer
TWAD Board
Major Project Division - I,
No.8, First East Main Road
Gandhi Nagar, Vellore 632 006
Vellore District
4. The Deputy Superintendent of Police
Vigilance and Anti Corruption Wing
Vellore Region, Neeli Godown Street
Near Mummi Hospital
Vellore 632 001, Vellore District
5. The Joint Director
Local Fund Audit Department
Officers Lane, Vellore 632 001
Vellore District

6. A.Ravi
Municipal Commissioner In-charge/
Municipal Engineer
Vaniyambadi Municipality
Near Town Post,
Vaniyambadi 635 752
Vellore District

7. K.V.Suresh
Municipal Manager
Vaniyambadi Municipality
Near Town Post,
Vaniyambadi 635 752
Vellore District

8. K.Murali Kanthan
Municipal Accountant
Vaniyambadi Municipality
Near Town Post,
Vaniyambadi 635 752
Vellore District

9. Chief Manager
Indian Bank
Vaniyambadi Branch
R.D.R. Complex, C.L. Road
Vaniyambadi 635 751
Vellore District

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to initiate appropriate action against the respondents 2, 6, 7 and 8 based on the representation dated 22.10.2014, and calling for the relevant records and further directing the fourth respondent to make enquiry from the year 2001 and to inspect all accounts in various heads of Vaniyambadi Municipality to bring out to light the fraudulency committed by the respondents 2, 3 and 5 and direct to recover the defalcated amount from them with interest.

For Petitioner : Mrs.Bhavani Subbarayan for
Mr.T.Gopinath
For Respondents : Mr.S.T.S.Moorthy
Government Pleader for RR1 to 5

ORDER

(Order of the Court was made by THE HON'BLE CHIEF JUSTICE)

The petitioner is an elected representative of Vaniyambadi Municipality and alleges that funds of the Municipality have been

diverted to third party individuals and companies, not connected with the municipality, by defalcation. It is the submission of the petitioner that the sixth respondent, in fact, acknowledges by a communication dated 24.10.2014, that these disbursements have not been brought to his notice.

2. On a query of the Court that the petitioner is part of the elected body and thus, has an avenue to seek redressal, it is submitted by the learned Counsel that the elected body is not an efficacious body as the petitioner is unable to have his say - a surprising aspect as the panchayat system has been introduced towards devolution of powers for local self governance.

3. Be that as it may, since the petitioner has made a representation on 22.10.2014, to the first respondent, the said respondent may look into the matter and after hearing all concerned, pass appropriate orders in accordance with law, within three months of receipt of the order.

4. The writ petition accordingly, stands disposed of. No costs. Consequently, connected MPs are closed.

nsv

-s/d-
Assistant Registrar()
Dt:6/2/2015

True Copy

Sub-Assistant Registrar

To:

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Vellore District

+ 1 cc to Mr.T.Gobinath, Advocate SR 5174

+ 1 cc to Govt. Pleader SR 5209

vgi(co)
prk11/2

W.P.No.2422 of 2015

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