

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.10.2015

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THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.33437 of 2015

R.Arunachalam

... Petitioner

- Vs -

1.The District Collector,
Tiruppur District, Tiruppur.

2. The Assistant Director,
(Panchayat)
Office of the District Collector,
Tiruppur District, Tiruppur.

3. The Commissioner,
Panchayat Union Office,
Udumalpet, Tiruppur District.

4. The Tahsildar,
Udumalpet & Taluk,
Tiruppur District

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the Respondents 1 to 4 to consider and dispose of the representation dated 31.03.2015 submitted by the petitioner.

For Petitioner : Mr.S.S.Jhothi Vani

For Respondents: M/s.Rani Selvam (R1,R2 and R4)
Mr.S.Pattabiraman (R3)
Government Advocate

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The Petitioner who is one of the elected ward members of the Sellamppampalayam Panchayat has approached this Court seeking Writ of Mandamus directing the respondents to dispose of the representation of the petitioner dated 31.03.2015.

3. Heard the learned counsel for the petitioner, the learned counsel appearing for the respondents 1, 2 and 4 and Mr.S.Pattabiraman, learned Government Advocate appearing for the third respondent.

4. Certain allegations are being made with regard to the handling of the funds and with regard to the auditing of accounts for taking of Panchayat works, by the petitioner in the representation dated 31.03.2015. Though the petitioner wants to bring No Confidence Motion, it may not be possible for the Village Vice President alone to commit any irregularity or mis-appropriation independently as the President and Vice President are co-signees of the cheques of the Panchayat. Therefore, directing the respondents to consider the petitioner's application to bring the No Confidence Motion against the Vice President is not sustainable. However, the auditing of accounts are concerned, a decision can be given by the first respondent by disposing of the petitioner's representation dated 31.03.2015 only with regard to Auditing alone.

5. Accordingly, the first respondent is directed to dispose of the petitioner's representation dated 31.03.2015 only with regard to auditing alone, within a period of three months from the date of receipt of a copy of this order.

This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

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//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Tiruppur District, Tiruppur.

2. The Assistant Director,
(Panchayat)
Office of the District Collector,
Tiruppur District, Tiruppur.

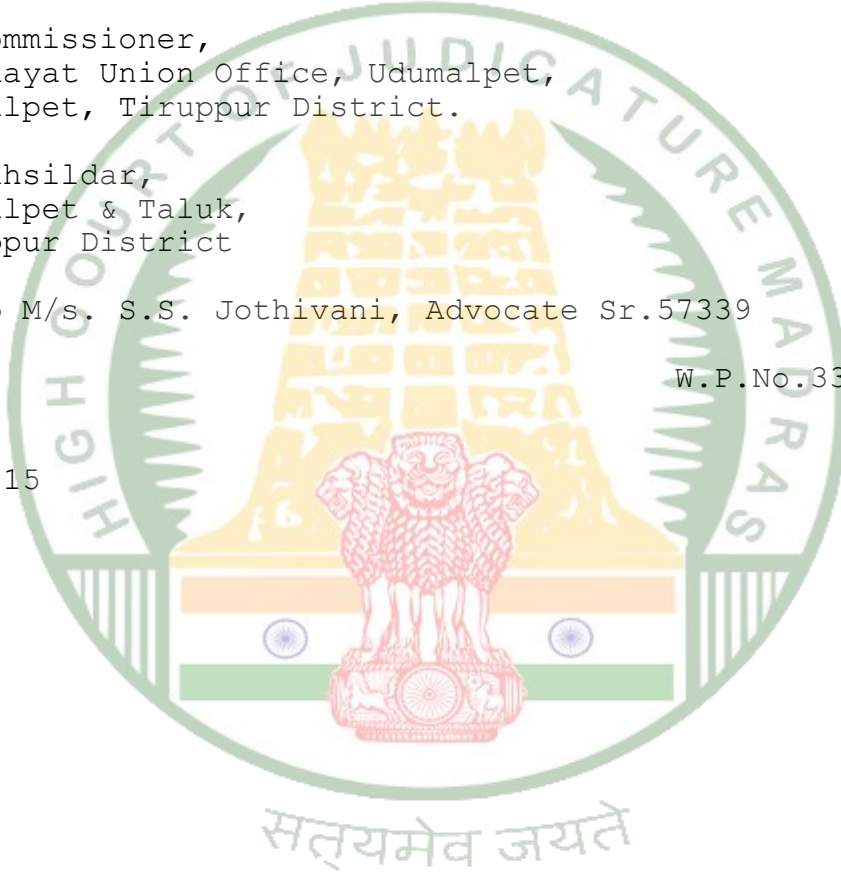
3. The Commissioner,
Panchayat Union Office, Udumalpet,
Udumalpet, Tiruppur District.

4. The Tahsildar,
Udumalpet & Taluk,
Tiruppur District

+ 1 cc to M/s. S.S. Jothivani, Advocate Sr.57339

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AK(CO)
EU 30.10.15



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