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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition (MD)No.1666 of 2013

M.Manonmani,
President,
T.Alangulam Panchayat,
Thiruppuvanam Panchayat Union,
Sivagangai District.

... Petitioner

Vs.

1.The District Collector cum Inspector of Panchayat,
Sivagangai, Sivagangai District.

2.The Block Development Officer
(Village Panchayats),
Thiruppuvanam Panchayat Union Office,
Sivagangai District.

3.R.Bose
(R-3 impleaded as third respondent
as per order dated 29.01.2015
made in M.P.No.3 of 2013)

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings issued by the 1st respondent in his proceedings Na.Ka.A7/1638/2012 dated 21.01.2013 and quash the same as illegal and consequentially to direct 1st respondent to authorize the petitioner to perform her duty as per Section 204(3) of the Tamil Nadu Panchayat Act, 1994.

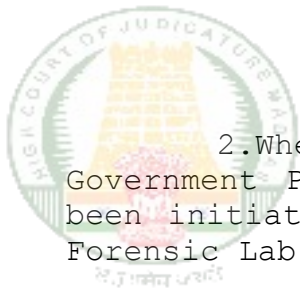
For Petitioner : Mr.N.Sathish Babu

For Respondents 1&2 : Mr.R.Karthikeyan,
Additional Government Pleader

For 3rd Respondent : Mr.M.Saravanakumar

O R D E R

The present writ petition has been filed challenging the withdrawal of cheque signing power of the petitioner. According to the petitioner, the impugned order does not specify any time limit which has not been passed in accordance with the provisions of the Tamil Nadu Panchayats Act,



2. When the matter came up for hearing, learned Additional Government Pleader submitted that proceedings under Section 205 (1) has been initiated and signatures have been sent for verification before the Forensic Lab and further course of action is going to be taken.

3. Learned counsel for the third respondent submitted that earlier the third respondent and others have filed a writ petition in W.P(MD) No.4377 of 2014 against the petitioner and this Court granted eight weeks time to proceed further against the petitioner. However, the said order has not yet been implemented till now. Therefore, the petitioner cannot be permitted to sign the cheques.

4. Heard the learned counsel for the parties and perused the materials available on record.

5. No doubt, there cannot be a blanket order for withdrawal of cheque signing power. But this is a peculiar case where in spite of the earlier orders passed by this Court, no further steps had been taken and the eight weeks time already granted by this Court is also over. Therefore, the authorities shall implement the said order within a period of four weeks from the date of receipt of a copy of this order. Further, the petitioner himself admitted that till the proceedings under Section 205 are over, the Block Development Officer can continue as cheque signing authority. Therefore, the Block Development Officer is directed to continue as cheque signing authority till the 205 proceedings are over. It is needless to say that the parties will abide by the orders to be passed in 205 proceedings. The petitioner will also co-operate with the proceedings.

6. With the above observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1. The District Collector cum Inspector of Panchayat,
Sivagangai, Sivagangai District.
 2. The Block Development Officer (Village Panchayats),
Thiruppuvanam Panchayat Union Office, Sivagangai District.
- +1cc to Mr.N.Sathish Babu Advocate in SR.No. 4034
+1cc to Mr. M.Saravana Kumar, Advocate in SR.No. 4137
+1cc to Special Government Pleader in SR.No. 4215.
+1cc to Mr. J.Gunaseelan Muthiah Advocate in SR.No. 4031
TS/23.02.2015/2P-7C

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29.01.2015