



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

AND

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.9676 of 2011

Muruga Ganesan

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.The Assistant Director of Panchayat
Nagercoil,
Kanyakumari District.

3.The Assistant Director (Audit)
Nagercoil, Kanyakumari District.

4.The President,
Ramapuram Panchayat
Agasthiarpuram,
Kanyakumari District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to initiate appropriate action in accordance with law in respect of audit objections raised by the 3rd respondent for the year 2008-2009 and 2009-2010 and pass such further or other orders as this Court may deem fit.

For Petitioner	: Mr.I.Irulappan
For RR - 1 to 3	: Mr.A.K.Baskarapandian Special Govt. Pleader
For R - 4	: Mr.J.Gunaseelan Muthaiah

ORDER

(Order of the Court was made by V.M.VELUMANI, J.)

This writ petition has been filed in public interest, seeking a Writ of Mandamus, directing the respondents to initiate appropriate action in accordance with law in respect of audit objections raised by the third respondent for the year 2008-2009 and 2009-2010.

2.The petitioner is a permanent resident of Therur Village in the fourth respondent Panchayat. According to the petitioner, in the fourth respondent Panchayat administration, there is misappropriation and corrupt practice. There was audit objection for the year 2008 - 2009 and 2009-2010. He obtained this information through RTI Act. He has sent various representations to the authorities. Lastly he gave a representation on 23.05.2011. No action was taken. Hence he has filed the present writ petition.



3. We do not express any opinion on the allegation made in the writ petition, except directing the first respondent to consider the representation of the petitioner. From the materials available on record it is seen that the petitioner has given representation in the year 2011 to the Chief Minister Cell. In the circumstances, the petitioner is directed to send fresh representation to the first respondent within two weeks from the date of receipt of a copy of this order. On receipt of such representation, the first respondent is directed to consider the same and pass appropriate orders on its own merit and in accordance with law after giving opportunity to the petitioner as well as to the fourth respondent.

4. With the above direction, this writ petition is disposed of.
No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
Kanyakumari.

2. The Assistant Director of Panchayat
Nagercoil,
Kanyakumari District.

3. The Assistant Director (Audit)
Nagercoil, Kanyakumari District.

4. The President,
Ramapuram Panchayat, Agasthiarpuram, Kanyakumari District.

+1cc to Mr. G. R. Swaminathan, Advocate SR.No.55255

+1cc to Mr. S. Gunaseelan Muthaiah, Advocate SR.No.55070

+1cc to The Special Government Pleader, Madurai. SR.No.55202

W.P. (MD) No. 9676 of 2011

16.09.2015

mj

NS/SKS-RR/16.10.2015 : 2P/8C