



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.1979 of 2013

P.Muthukrishnan

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Project Officer,
District Rural Development Agency,
Thanjavur.

3.Ramaiyan,
The President,
Vadakkoor South Panchayat,
Orathanadu,
Thanjavur District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondent 1 and 2 herein to initiate suitable civil and criminal proceedings against the 3rd respondent herein under Tamil Nadu Panchayat Act 1994 and Indian Penal Code 1860 on the basis of the complaint of the Villagers dated 31.12.2012 and the reminders dated 07.01.2013 and 10.01.2013.

For Petitioner	:	Mr.D.Sivaraman
For Respondents	1&2	: Mr.A.K.Baskarapandian, Special Government Pleader.
For 3 rd Respondent	:	Mr.S.S.Sundar

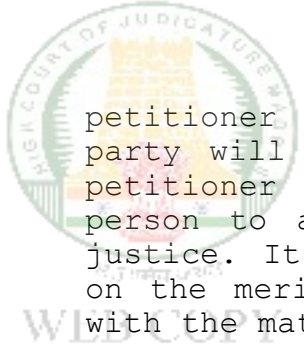
ORDER

(Order of the Court was made by **R. SUDHAKAR, J.**)

This writ petition has been filed to direct the respondents 1 and 2 to initiate suitable civil and criminal proceedings against the third respondent under the provisions of the Tamil Nadu Panchayats Act 1994 and Indian Penal Code on the basis of the complaint of the villagers dated 31.12.2012 and the reminders dated 07.01.2013 and 10.01.2013.

2.According to the petitioner, the third respondent was removed for misappropriation of funds and enquiries are pending. However, the first respondent being the Inspector of Panchayats has not taken any action against the third respondent under the provisions of Tamil Nadu Panchayats Act 1994 and Indian Penal Code. Therefore, the petitioner has given a detailed representation to the first respondent. Since no final order has been passed so far, the present writ petition has been filed.

3.Without going into the merits of the petitioner's claim, the first respondent is directed to consider the representation of the



petitioner on its own merit and in accordance with law. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority concerned is free to deal with the matter on its own merit as per law.

4.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

sms

To

1.The District Collector, Thanjavur District, Thanjavur.

2.The Project Officer,

District Rural Development Agency, Thanjavur.

+one cc to Mr.S.S.Sundar, Advocate in SR.No.46467

+one cc to Mr.D.Sivaraman, Advocate in SR.No.46170

+one cc to The Special Government pleader in SR.No.46757/15

Writ Petition (MD) No.1979 of 2013
13.08.2015

CSL/NGM-SS/SAR-II/ 26/08/2015

2p/6c