

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6456/2016

V.R.Kanchanamala

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Petitioner

Versus

1. The District Collector/Inspector of Panchayats
Vellore District, Vellore.
2. The Assistant Director [Panchayats]
Vellore District, Vellore.
3. Subhaih
The Assistant Director [Panchayats]
Vellore District, Vellore.
4. The Block Development Officer
Arcot Panchayat Union
Vellore District.

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Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd, 3rd and 4th respondents to return/handover the Expenditures Sheets Nos.-10, Account Book of the year 2014-2015 [01.04.2014 to 30.03.2015] and Expenditures Sheets 1-28 of the Veppur Panchayat, Wallajah, Taluk, Vellore District to the petitioner, which were taken by them on 21.05.2015 forthwith.

For Petitioner	:	Mr.G.Ilanthiraiyan for M/s.Sai, Bharath & Ilan
For RR 1 and 2	:	Mr.R.Lakshmi Narayanan, AGP
For RR 3 and 4	:	Mr.A.Sri Jayanthi

ORDER

Heard the learned counsel appearing for the petitioner ; Mr.R.lakshmi Narayanan, learned Additional Government Pleader accepting notice on behalf of the respondents 1 and 2 and Ms.Sri Jayanthi, learned Standing Counsel accepting notice on behalf of the respondents 3 and 4 and with their consent, the writ petition is taken up for final disposal at the admission stage.

2 The petitioner is the elected President of the Village Panchayat and due to certain allegations, a show cause notice was issued to the petitioner by the 1st respondent calling upon her to explain as to why action should not be initiated against her u/s.204[1] of the Tamil Nadu Panchayats Act, 1994. Pursuant thereto, the District Collector directed the Tahsildar to convene a Meeting of the Panchayat, to ascertain the dues of the Panchayat. Accordingly, the Tahsildar issued a notice on 02.01.2016 to convene the meeting. The petitioner challenged the said notice dated 02.01.2016 by filing a writ petition in WP.No.1121/2016 and sought for a direction to forebear the respondents from initiating action against the petitioner pursuant to the show cause notice dated 28.09.2015. The said writ petition was entertained by this Court and following the earlier order granted in WP.No.37077/2015, an order of interim stay was granted and the said writ petition is still pending and the interim order is in force. In the mean time, since the Accounts of the Panchayat have to be audited, the petitioner made a request for returning of the records which have been taken over by the respondents prior to the issuance of the notice u/s.205[1] of the Act. This representation of the petitioner dated 25.01.2016 was considered by the 1st respondent and a direction has been issued to the 4th respondent on 02.02.2016. However, till date, no action has been taken by the 4th respondent which has necessitated the petitioner to approach this Court.

3 Since already the 1st respondent has issued necessary direction, it is appropriate for the 4th respondent to comply with the same and submit a report to the 1st respondent.

4 In the light of the above, there will be a direction to the 4th respondent to comply with the direction issued by the District Collector dated 02.02.2016 and the said reply/report shall be submitted by the 4th respondent in consultation with the 2nd respondent. The above direction shall be complied with by the 4th respondent within a period of four weeks from the date of receipt of a copy of this order.

5 The writ petition is disposed of with the above direction. No costs.

AP

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

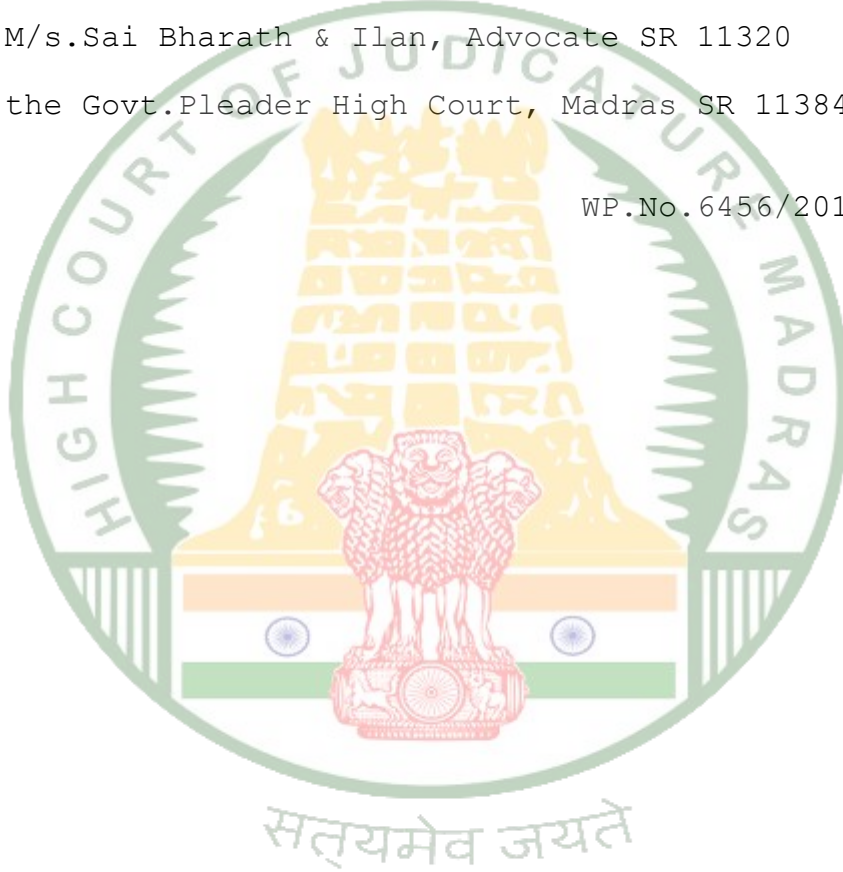
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Vellore District.

+ 1 cc to M/s.Sai Bharath & Ilan, Advocate SR 11320

+ 1 cc to the Govt.Pleader High Court, Madras SR 11384

jsv(co)
prk25/2

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