



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2016

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.[MD].No.5037 of 2014

A.P.Jeyaseelan

... Petitioner

Vs.

1.The District Collector,
Trichy District, Trichy.

2.N.Arumugam

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to take action against the 2nd respondent for his illegal act of misappropriation of funds of the Tholurpatti Village Panchayat by considering the petitioner's representations dated 08.12.2012, 05.09.2013 and 03.03.2014.

For Petitioner : Mr.T.Lenin Kumar
for M/S K.Gokul

For 1st respondent : Mr.T.R.Janarthanam,
Additional Government Pleader

For 2nd respondent : Mr.C.Selvaraj

O R D E R

[Order of the Court was made by S.NAGAMUTHU, J.]

The petitioner has come up with this Writ Petition seeking a direction to the first respondent to initiate action against the 2nd respondent, who is the President of the Tholurpatti Village Panchayat, on the allegation that he has committed certain irregularities.

<https://hcservices.ecourts.gov.in/HCServices/> 2. We have heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing for the first respondent and the learned counsel appearing for the 2nd



respondent.

3. Since the term of Office of the second respondent is going to be over and the election notification has also come, nothing survives in this Writ Petition. However, in paragraph No.9 of the counter affidavit filed by the second respondent, it is stated as follows;

"9. The allegation that the respondent swallowed the public money and enriched himself is denied as false. The income and the expenditure for Financial Year 2011-2012, 2012-2013, 2013-2014 was audited by the concerned officers and the same was approved without any remarks. In this regards, the audit reports given by the officers for the above said financial years are filed herewith. No illegal activities were done by this respondent. This respondent is law abiding citizen and never misappropriated the Panchayat funds. These respondents maintaining proper accounts for income and expenditure."

4. In view of the above, no direction as prayed for could be issued. This Writ Petition is, therefore, dismissed. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

gcg

To

1. The District Collector,
Trichy District,
Trichy.

+1cc to Spl. Government Pleader Sr.No. 58293

JAM/21.10.16/EM-MPA/2P-3C

Order made in
W.P. [MD].No.5037 of 2014
30.09.2016