

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 26.08.2016****CORAM****THE HONOURABLE MR.JUSTICE T.RAJA****W.P. (MD) .No.15854 of 2016**

T.Pon.Selvan

... Petitioner

VS

1.The District Collector
Karur District, Karur

2.The Tahsildar
Kulithalai Taluk
Karur District

3.The Assistant Director (Panchayat)
Karur District

4.The Block Development Officer
(Village Panchayat)
Kulithalai Taluk
Karur District

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent on the basis of the petitioner's representation, dated 26.07.2016, to complete the proceedings under Section 205 of the Tamil Nadu Panchayats Act, 1994 as against the President by conducting the special inspection and auditing the accounts in his K.Pettai Village Panchayat, Kulithalai Taluk, Karur District and further made enquiry with their village people about the irregularities and misappropriations committed by the President and take necessary action against the President, within a stipulated period.

For petitioner : Mr.V.Nagenthran

For Respondents: Mr.M.Murugan

Govt. Advocate for R1 to R3

Mr.R.Anandaraj

Govt. Advocate for R4

O R D E R<https://hcservices.ecourts.gov.in/hcservices/>

Mr.M.Murugan, learned Government Advocate, takes notice for the respondents 1 to 3 and Mr.R.Anandaraj, learned Government



Advocate, takes notice for the fourth respondent. With the consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

2. The prayer in this writ petition is for issuance of a writ of mandamus to direct the first respondent to complete the proceedings initiated against the President, K.Pettai Village Panchayat, Kulithalai Taluk, Karur District, under Section 205 of the Tamil Nadu Panchayats Act, 1994, by conducting a special inspection and auditing the accounts; conduct an enquiry on the allegations made against him with regard to the irregularities and misappropriation of funds and take necessary action against him, within a stipulated period, based on the petitioner's representation, dated 26.07.2016.

3. At the outset, it is pertinent to note that the petitioner has not impleaded the necessary party, namely, President, K.Pettai Village Panchayat, Kulithalai Taluk, Karur District, against whom the relief is sought for, as a party to the proceedings.

4. In such circumstances, this Court is not in a position to entertain the writ petition and the same is, therefore, liable to be dismissed.

5. In the result, the writ petition fails and it is dismissed for non-joinder of necessary party. No costs.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To:

1.The District Collector, Karur District, Karur.

2.The Tahsildar, Kulithalai Taluk, Karur District.

3.The Assistant Director (Panchayat), Karur District.

4.The Block Development Officer,
(Village Panchayat), Kulithalai Taluk, Karur District.

+1 cc to The Special Government Pleader in SR.No. 47687

krk

CSL/DB/08.09.2016: 2P/6C

W.P. (MD) .No.15854 of 2016

26.08.2016