



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.(MD)No.17432 of 2016

and

W.M.P.(MD)No.12632 of 2016

S.Pappuraj

... Petitioner

-vs-

1.The District Collector and
Inspector of Panchayats,
Thoothukudi District, Thoothukudi.

2.The Block Development Officer (VP),
Kovilpatti Panchayat Union,
Kovilpatti, Thoothukudi District.

3.The Manager,
Indian Overseas Bank,
Kovilpatti, Thoothukudi District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records on the file of the first respondent pursuant to the impugned order passed by him in his proceedings Ooni5/150/2010 dated 06.09.2016 and the consequential impugned communication sent by him to the third respondent in his proceedings Ooni5/150/2010 dated 06.09.2016 and quash the same as illegal and arbitrary.

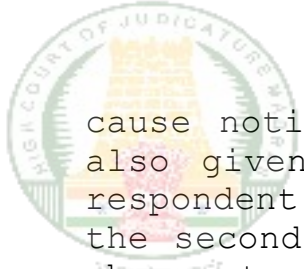
For Petitioner : Mr.G.Thalaimutharasu
For R1 & R2 : Mr.V.R.Shanmuganathan
Special Government Pleader

O R D E R

The writ petition has been filed challenging the impugned communication, dated 06.09.2016, issued by the District Collector to the Block Development Officer asking him to check the genuineness of the purpose, for which, cheque is issued and thereafter issue authorisation to the bank.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3.The case of the petitioner is that he is an elected Panchayat President of Earachi Village Panchayat. One Subbaih, who is an unsuccessful candidate in the Panchayat Election made allegations against the petitioner to the effect that the petitioner has issued cheques without following due procedures. Based on the said allegation, the first respondent issued show



cause notice to the petitioner on 21.11.2015. The petitioner has also given his explanation on 17.12.2015. Thereafter, the first respondent passed the impugned order, dated 06.09.2016 directing the second respondent to verify the genuineness of each and every cheque to be presented by the petitioner and thereafter to issue authorisation to the bank for withdrawal of cash. But, it is the grievance of the petitioner that before passing the impugned order, he was not given opportunity of being heard. Hence, the present writ petition.

4. When the matter came up for hearing today, it is brought to the notice of this Court that a Special Officer has taken over charge of the said village and therefore, nothing survives for adjudication.

5. As the Special Officer has taken over charge of the village, no further order is required in this writ petition. Accordingly, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(crl.side)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector and
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Thoothukudi District, Thoothukudi.

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Kovilpatti Panchayat Union,
Kovilpatti, Thoothukudi District.

3. The Manager,
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+1 cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.64951

W.P. (MD) No.17432 of 2016
and
W.M.P. (MD) No.12632 of 2016
01.11.2016

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