



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

AND

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P. [MD] .No.20760 of 2016

and

W.M.P. (MD) No.14829 of 2016

O.Mohan

: Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Local Administration,
Fort St. George,
Chennai-09.

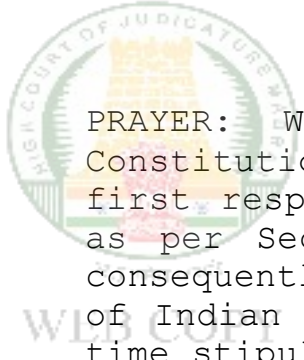
2.The District Collector,
District Collectorate,
Madurai District,
Madurai.

3.The Block Development Officer,
Chellampatti Union Office,
Chellampatti,
Usilampatti Taluk,
Madurai District.

4.The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District,
Madurai.

5.The Inspector of Police,
Vikramangalam Police Station,
Usilampatti Taluk,
Madurai District.

6.Mudhalaikulam Village Panchayat,
Rep. by its Panchayat President,
Usilampatti Taluk,
Madurai District.



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to dissolve the Mudhalaikulam Village Panchayat as per Section 214 of the Tamil Nadu Panchayats Act, 1994 and consequently, initiate appropriate penal action under Section 409 of Indian Penal Code against the respondents 7 and 8, within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
 For Respondents 1to5 : Mr.T.R.Janarthanan,
 Additional Government Pleader

O R D E R

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

The petitioner has come up with this Public Interest Litigation seeking a direction to the first respondent to dissolve Mudhalaikulam Village Panchayat, as per Section 214 of the Tamil Nadu Panchayats Act, 1994 and also to initiate appropriate penal action against the respondents 7 and 8, who, according to the petitioner, have misappropriated the funds allotted to the Panchayat.

2. We have heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 5. We have also perused the records carefully.

3. So far as the first part of the prayer, namely to dissolve the Mudhalaikulam Village Panchayat is concerned, subsequent to the filing of this Writ Petition, the term of office of the President has expired and now a Special Officer has also been appointed by the Government. Therefore, the first part of the prayer has become infructuous.

4. So far as the later part of the prayer is concerned, it is for the District Collector to look into the entire allegations and if it is found that any amount belonging to the Panchayat has been really misappropriated by any individual, it is needless to point out that it is for the District Collector to initiate appropriate action.

5. The Writ Petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
 Assistant Registrar (AS)

/True copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar



To

- 1.The Principal Secretary,
Government of Tamil Nadu,
Department of Local Administration, Fort St. George,
Chennai-09.
 - 2.The District Collector,
District Collectorate, Madurai District, Madurai.
 - 3.The Block Development Officer,
Chellampatti Union Office,
Chellampatti, Usilampatti Taluk, Madurai District.
 - 4.The Superintendent of Police,
O/o. The Superintendent of Police, Madurai District, Madurai.
 - 5.The Inspector of Police,
Vikramangalam Police Station,
Usilampatti Taluk, Madurai District.
- +1 CC to Mr.T.LAJAPATHI ROY, Advocate, SR No.65197
+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.65321

Order made in
W.P. [MD].No.20760 of 2016
Dated: 02.11.2016

SML

SH/CK:15.11.2016:2P/8C