



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.12.2016
CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.24620 of 2016

1.G.Murali

2.R.Arunachalam

3.M.Palaniyandi

4.G.Kamaraj

5.Shahabudeen

6.M.Pichai

7.K.Kannaiyyan

.. Petitioners

Vs.

1.The Director,
Rural Development and Panchayat Directorate,
Panagal Buildings, Saidapet,
Chennai - 600 015.

2.The District Collector/Inspector of Panchayat,
Collectorate, Tiruchirappalli - 620 001.

3.The Assistant Director (Panchayats),
Collectorate, Tiruchirappalli - 620 001.

4.The Block Development Officer
(Village Panchayat),
Panchayat Union, Mannachanallur,
Tiruchirappalli District.

5.S.Ramesh @ Moorthy,
President, Siruganur Village Panchayat,
Mannachanallur Taluk, Tiruchirappalli District.



7. Tamilselvan,
Siruganur Village Panchayat Secretary,
Mannachanallur Taluk,
Tiruchirappalli District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to conduct an enquiry against the respondents 5 to 7 in respect of mal-administration, mismanagement and embezzlement of Siruganur Village Panchayat occurred from 2006 to 2016 and to take action against them in accordance with law.

For Petitioners	: Mr. Shangar Murali
For Respondents 1 to 3	: Mr. D. Muruganandam, Additional Government Pleader.
For Respondent No. 4	: Mr. S. Sathishkumar, Additional Government Pleader.

ORDER

[Order of the Court was made by A. SELVAM, J.]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the second respondent to conduct enquiry against the respondents 5 to 7 in respect of mal-administration, mismanagement and embezzlement of public money in Siruganur Village Panchayat from the year 2006 to 2016 and to take appropriate action, by way of issuing a writ of mandamus.

2. It is averred in the petition that during the relevant period the fifth respondent has acted as Village President, the sixth respondent has acted as Vice President and seventh respondent has acted as Secretary of Siruganur Village Panchayat. During tenure of their office, they have done mal-administration, mismanagement and embezzlement of public money. Under the said circumstances certain representations have been given to the concerned authorities. But proper action has not been taken and therefore the present writ petition has been filed for getting the relief sought therein.

3. Mr. D. Muruganandam, learned Additional Government Pleader, has taken notice for the respondents 1 to 3 and Mr. S. Sadeeshkumar, learned Additional Government Pleader, has taken notice for the fourth respondent. Considering the nature of the relief sought in the writ petition, notice need not be sent to the remaining respondents.

4. The only contention put forth on the side of the petitioners is that with regard to mal-administration, mismanagement and embezzlement of public fund in Siruganur Village



Panchayat from the year 2006 to 2016, a detailed enquiry has to be conducted by the second respondent.

5. It is seen from the records that on the basis of representation given by the general public a criminal case has been registered against the persons concerned. But there is no document with regard to repayment of money alleged to have been embezzled by the respondents 5 to 7. Under the said circumstances this Court is of the view to direct the second respondent to conduct a detailed enquiry against the alleged mal-administration, mismanagement and embezzlement done by the respondents 5 to 7 from the year 2006 to 2016.

6. In fine, this writ petition is allowed without costs and the second respondent is strictly directed to conduct a detailed enquiry against the respondents 5 to 7 in respect of the alleged mal-administration, mismanagement and embezzlement done by them in Siruganur Village Panchayat from the year 2006 to 2016 and if any deviation is found take appropriate action within a period of two months.

Sd/-
Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Director,
Rural Development and Panchayat Directorate,
Panagal Buildings, Saidapet,
Chennai - 600 015.
2. The District Collector/Inspector of Panchayat,
Collectorate, Tiruchirappalli - 620 001.
3. The Assistant Director (Panchayats),
Collectorate, Tiruchirappalli - 620 001.
4. The Block Development Officer
(Village Panchayat),
Panchayat Union, Mannachanallur,
Tiruchirappalli District.

+1 cc to MR.K.S.Shankar Murali, ADVOCATE, SR NO:82779
+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO:83550

ORDER MADE IN
W.P(MD)No.24620 of 2016
22.12.2016