



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.18949 of 2014

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S.Muthuraj

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Assistant Director of Panchayat,
District Collector Office Complex,
Virudhunagar.

3.The Block Development Officer,
Sivakasi Panchayat Union,
Virudhunagar District.

4.The President,
Nameskarithanpatti Panchayat,
Sivakasi Taluk, Virudhunagar District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the first respondent herein to initiate action on petitioner's complaint dated 31.07.2014 submitted against the fourth respondent herein for misusing Government scheme within a stipulated period as fixed by this Court.

For Petitioner : Mr.P.Subbaraj

For Respondents : Mr.J.Gunaseelan Muthiah
Government Advocate for R.1 and R.2
Mr.R.Velmurugan for R.3 and R.4

O R D E R

This writ petition has been filed by the petitioner, to issue a Writ of Mandamus directing the first respondent to take action against the fourth respondent for misappropriation of public funds, based on his representation dated 31.07.2014.

2. Heard the learned counsel appearing on all sides.

3. Normally, this Court will dispose of such type of petitions filed against the Presidents, Vice Presidents, etc., of Panchayats, as having become infructuous, on account of non



existence of those posts as of now. But, in this case, a serious allegation has been levelled against the fourth respondent, as the public money is alleged to have been swindled by the fourth respondent and it is for the first respondent to look into the veracity of the complaint of the petitioner.

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4. Hence, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 31.07.2014 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as the fourth respondent, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Assistant Director of Panchayat,
District Collector Office Complex,
Virudhunagar.

3.The Block Development Officer,
Sivakasi Panchayat Union,
Virudhunagar District.

+1cc to Mr.R.Velmurugan,Advocate,SR.71947

+1cc to M/S.Special Government Pleader,SR.71681

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GK

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