



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2017

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CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14730 of 2016
and
W.M.P.(MD).Nos.10888, 10889 of 2016 and 3664 of 2017

Arulmigu Sudalaimadaswamy Nirvaga Committee,
Puthoor, Pozhikkarai Post,
Rep. by its President,
P.K.Soorianarayanan,
S/o.Kumaravel,
Puthoor, Pozhikkarai Post,
Dharmapuram Village,
Agasteeswaram Taluk,
Kanyakumari District.

.. Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil - 629 001.
2. The Revenue Divisional Officer,
Nagercoil Revenue Division,
Nagercoil - 629 001.
3. The Tahsildar,
Agasteeswaram Taluk,
Nagercoil - 629 001.
4. The Assistant Director Village Panchayats,
Collectorate Campus,
Nagercoil - 629 001.
5. The Block Development Officer,
(Village Panchayats)
Rajakkamamangalam Panchayat Union,
Pazhavilai,
Pazhavilai Post - 629 501.



6. The Panchayat President,
Dharmapuram Village Panchayat,
Rajakkamamangalam Panchayat Union,
South Surankudi and Post,
Agasteeswaram Taluk,
Kanyakumari District - 629 501.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents No.1 to 5 to cancel the bifurcation, reconstitution, modification and classification of blocks in Dharmapuram Village Panchayat area carried out by the Panchayat President/ sixth respondent without jurisdiction and also to restore the original list of blocks containing door numbers and name of residents as is where during the financial year 2011-2012 and consequently direct the first respondent to pass necessary orders to conduct special audit during the period of 01.11.2006 to 31.03.2016 in connection with the Panchayat proceedings, other malpractice and misappropriation of funds committed by the sixth respondent.

For petitioner : Mr. C.Sankar Prakash
For respondents No.1 to 4 : Mr.M.Govindan
Special Government Pleader

O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

The writ petitioner has certain grievances regarding bifurcation, reconstitution, modification and classification of blocks in Dharmapuram Village Panchayat area.

2. According to the writ petitioner, such acts have been illegally done by the sixth respondent. It is for the District Collector, who is the Inspector of Panchayats, to classify the blocks. It is not open to the sixth respondent to bifurcate or modify the blocks in the Village Panchayat Union. The writ petitioner, therefore, submitted a representation dated 19.07.2016 to the first respondent. The writ petitioner has also made certain serious allegations with regard to the affairs of the said Panchayat Union.

3. This Court, therefore, directs the first respondent to take action on merits and in accordance with law on the writ petitioner's representation dated 19.07.2017 within a period of three months from the date of receipt of a copy of this order. The first respondent shall also furnish a copy of the decision taken by him to the writ petitioner.



4. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Kanyakumari District,
Nagercoil - 629 001.
2. The Revenue Divisional Officer,
Nagercoil Revenue Division,
Nagercoil - 629 001.
3. The Tahsildar,
Agasteeswaram Taluk,
Nagercoil - 629 001.
4. The Assistant Director Village Panchayats,
Collectorate Campus,
Nagercoil - 629 001.
5. The Block Development Officer,
(Village Panchayats)
Rajakkamamangalam Panchayat Union,
Pazhavilai,
Pazhavilai Post - 629 501.

+ 1 CC TO Mr.C.SANKAR PRAKASH, ADVOCATE IN SR No. 70462

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 70981

KM

TE/JC/SAR-I : 31/08/2017 : 3P/8C

ORDER MADE IN
W.P.(MD)No.14730 of 2016 and
W.M.P.(MD).Nos.10888,10889 of 2016 & 3664/2017
04.08.2017