



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2017

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WEB COPY

THE HON'BLE MR.JUSTICE A.SELVAM
and
THE HON'BLE MR.JUSTICE P.KALAIYARASAN

W.P(MD) No.417 of 2017

V.Thavasi

... Petitioner

-vs-

1.The Agricultural Production Commissioner/
Secretary to Government,
Agricultural Department,
St.George Fort, Secretariat,
Chennai - 9.

2.The Commissioner,
Agricultural Marketing and Agri Business,
Thiru.Vi.Ka.Industrial Estate,
CIPET - II, Main Road, Guindy
Chennai - 32.

3.M.Mohammed Iqbal
The Joint Director,
Agricultural Marketing and Agri Business,
Thiru.Vi.Ka.Industrial Estate,
CIPET - II, Main Road, Guindy
Chennai - 32.

4.V.Murugesan,
The Secretary,
No.105-A, Madurai Road,
Ramanathapuram Market Committee,
Virudhunagar.

5.P.Seeniammal
The Manager,
No.105-A, Madurai Road,
Ramanathapuram Market Committee,
Virudhunagar.

... Respondents

Writ Petition filed under Article 226 of the Constitution
of India praying to issue a writ of Writ of Mandamus directing the
1st Respondent to take action against the 3rd, 4th and 5th



respondents for misappropriation of Government funds allotted to the Agricultural Department to the tune of Rs.15,60,360/- from the year 2012-2015 in Ramanathapuram Market Committee at Virudhunagar.

For Petitioner : Mr.A.Satheesh Murugan
For RR - 1 & 2 : Mr.M.Govindan
Special Government Pleader
For R - 3 : Mr.Veera Kathiravan
senior counsel
for Mr.C.Jeganathan
For RR - 4 & 5 : Mr.S.Arivalagan

O R D E R

[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 first respondent to take appropriate action against the respondents 3 to 5 in respect of misappropriation of Government funds by way of issuing a writ of mandamus.

2.It is averred in the petition that the respondents 3 to 5 have made appropriation of amounts mentioned therein. But despite of representations, the first respondent is reluctant to take action against them. Under the said circumstances, the present Writ Petition has been filed for getting the relief sought therein.

3.As directed by this Court, the first respondent has submitted the entire enquiry file, wherein it has been clearly stated that one Arun has been shown as delinquent and proper enquiry has been conducted and ultimately recovered a sum of Rs.15,00,000/- with interest.

4.Considering the fact that already a full-fledged enquiry has been conducted with regard to alleged misappropriation mentioned in the petition, this Court feels that the relief sought in the Writ Petition has become infructuous and therefore, the same is liable to be dismissed.

5.In fine, this Writ Petition is dismissed with cost.

Sd/-

Assistant Registrar (AS)

/True copy/



To

1.The Agricultural Production Commissioner/
Secretary to Government,
Agricultural Department,
St.George Fort, Secretariat,
Chennai - 9.

2.The Commissioner,
Agricultural Marketing and Agri Business,
Thiru.Vi.Ka.Industrial Estate,
CIPET - II, Main Road, Guindy
Chennai - 32.

+1 CC to M/s.THE SPECIAL GOVERNMENT PLEADER, SR No. 11568
+1 CC to M/s.A.SATHISH MURUGAN, Advocate, SR No.10831
+1 CC to M/s.S.ARIVALAGAN, Advocate, SR No. 10820
+1 CC to M/s.VEERA ASSOCIATES, SR No. 11299

MJ

PSM/SKN/10.03.2017/3P/7C

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