



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.16652 of 2016

WEB COPY

T.Arulraj

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Block Development Officer,
Radhapuram Union,
Radhapuram,
Tirunelveli District.

3.S.Bagavathi,
Vice President (Kudankulam Village Panchayat),
2/37, East Bypass Road,
Kudankulam,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to pass appropriate orders against the 3rd respondent in pursuant of show cause notice dated 01.12.2015 in Aa6/1716/2012, issued by the 1st respondent under Section 206 of Tamil Nadu Panchayat Act.

For Petitioner : Mr.S.Balamurugan

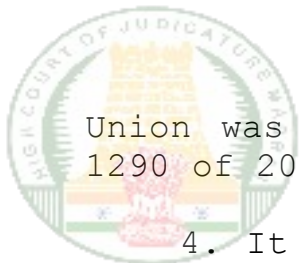
For Respondents : Mr.J.Gunaseelan Muthiah
Government Advocate for R.1
Mr.M.Rajarajan, for R.2
Mr.H.Thayumanasamy, for R.3

O R D E R

This writ petition has been filed by the petitioner to issue a Writ of Mandamus, to direct the first respondent to pass appropriate orders against the third respondent, pursuant to the show cause notice dated 01.12.2015, in Aa6/1716/2012, issued by the first respondent under Section 206 of Tamil Nadu Panchayat Act.

2. Heard the learned counsel on all sides.

<https://hcservices.courts.gov.in/hcservices/>
3. The learned counsel for the third respondent pointed out that same proceedings relating to the president of the Panchayat



Union was already set aside by this Court in W.A.(MD)Nos.1289 & 1290 of 2016 dated 19.06.2016.

4. It is a common knowledge that the posts of President, Vice President, etc., are no more in existence and therefore, this Court is of the view that no further order is required to be passed in this petition, whereas, it open to the authorities concerned to initiate appropriate legal action for misappropriation of public funds, if any.

5. If the first respondent initiates legal action against the third respondent for misappropriation of public funds, this Court directs the first respondent to take into account the order of this Court in W.A.(MD)Nos.1289 & 1290 of 2016 dated 19.06.2016, while conducting enquiry and pass necessary orders, after affording due opportunity of hearing to the petitioner as well as the third respondent, within a period of six weeks.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Block Development Officer,
Radhapuram Union,
Radhapuram,
Tirunelveli District.

+1cc to Mr.S.Balamurugan,Advocate,SR.67442

+1cc to M/s.M.Sheema Daniel,Advocate,SR.67093

+1cc to M/S.Special Government Pleader,SR.67996

GK

KK/JC/SAR 2/01.08.2017/2P-6C/

W.P (MD) No.16652 of 2016
24.07.2017