



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P (MD) No.22638 of 2016

and

W.M.P (MD) No.16201 of 2016

V.Manickam

.. Petitioner

Vs.

1.The District Collector/
Inspector of Panchayat,
Kokkirakulam, Tirunelveli District.

2.The Block Development Officer (Village Panchayat),
Kalakkad, Kalakkad Union, Nanguneri Taluk,
Tirunelveli District.

3.Subramanian,
Block Development Officer (Village Panchayat),
Kalakkad, Kalakkad Union, Nanguneri Taluk,
Tirunelveli 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 respondents 1 and 2 to furnish the final order passed in the proceedings under Reference No.B3/2087/2013 dated 06.06.2016 on the file of the second respondent to the petitioner forthwith and till then not to initiate any proceedings in the nature of recovery of criminal prosecution on the basis of the same in the said proceedings.

For Petitioner
For Respondents

: Mr.S.Palanivelayutham
: Mr.J.Gunaseelan Muthiah,
Government Advocate.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents 1 and 2 to furnish the final order passed in the proceedings under Reference No.B3/2087/2013, dated 06.06.2016, on the file of the second respondent, to the petitioner forthwith and till then not to initiate any proceedings in the nature of recovery of criminal prosecution on the basis of the same in the said proceedings.

2.The case of the petitioner is that he is the erstwhile President of Devanallur Panchayat, Kalakkad Panchayat Union, Tirunelveli District. On 06.06.2016, due to previous enmity, the third respondent in the capacity of second respondent, sent a communication to the petitioner informing that some defects were



found in the Panchayat during the period between 17.12.2015 to 21.12.2015, for which, he sent a representation to the Director of Rural Development and Panchayat Raj, Chennai. On 25.09.2016, in Hindu Tamil Version, it has been published that the first respondent has passed a final order stating that the petitioner is liable to be imposed heavy penalty due to irregularities. But, he has not received any final order. Therefore, he made several representations to the authorities to furnish a copy of the same. Since the same has not been considered, the petitioner is before this Court.

3.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner confines his prayer only to direct the first respondent to furnish a copy of the final order passed in the proceedings, to the petitioner, for which, the learned Government Advocate, appearing for the respondents, has no serious objection.

4.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to furnish a copy of the final order in the proceedings under Reference No.B3/2087/2013, dated 06.06.2016, on the file of the second respondent to the petitioner, within a period of two weeks from the date of receipt of a copy of this order, if final order had already been passed.

5.The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector/ Inspector of Panchayat,
Kokkirakulam, Tirunelveli District.

2.The Block Development Officer (Village Panchayat),
Kalakkad, Kalakkad Union, Nanguneri Taluk,
Tirunelveli District.

+1CC to Mr.J.Gunaseelan Muthiah, Advocate, SR.No. 68789

+1CC to Mr.S.Palanivelayutham, Advocate, SR.No. 69563

+1CC to the Special Government Pleader SR.No. 69298

ORDER MADE IN

W.P (MD) No.22638 of 2016

and

W.M.P (MD) No.16201 of 2016

31.07.2017