



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2017

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P(MD).No.1857 of 2011 and
M.P(MD).No.1 and 2 of 2011

N.M. Mohammed Haniba

.. Petitioner

Vs.

1.The Collector,
Dindigul District,
Dindigul.

2.The Assistant Director of Village Panchayat,
Dindigul District,
Dindigul.

3.The Revenue Divisional Officer,
Dindigul District,
Dindigul.

.. Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to take appropriate criminal action as against the Panchayat President of M.M.Kovilur Panchayat, Dindigul District based on the proceedings of the Revenue Divisional Officer at Dindigul in O.M.NO.8742/2009/A3 dated 22.04.2010 and consequently, direct the first respondent to instruct the Panchayat President of M.M.Kovilur Panchayat to handover the mis-appropriated fund, which collected from the beneficiary of the patta proceedings in M.M.Kovilur Panchayat, Dindigul District.

For Petitioner : Mr. G. Gomathi Sankar
For respondents 1 to 3: Mr.A. Muthukaruppan
Additional Government Pleader
For respondent No.4 : Mr. R. Velmurugan

ORDER

This Writ Petition has been filed to direct the first respondent to take appropriate criminal action as against the Panchayat President of M.M.Kovilur Panchayat, Dindigul District based on the proceedings of the Revenue Divisional Officer at Dindigul in O.M.NO.8742/2009/A3 dated 22.04.2010 and consequently, direct the first respondent to instruct the Panchayat President of M.M.Kovilur Panchayat to hand over the mis-appropriated fund,



which collected from the beneficiary of the patta proceedings in M.M.Kovilur Panchayat, Dindigul District.

2. Heard Mr.G. Gomathi Sankar, learned counsel appearing for the petitioner, Mr. A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.R.Velmurugan, learned counsel appearing for the fourth respondent.

3. The learned counsel appearing for the petitioner would submit that it would suffice if the direction is issued to the first respondent to consider the representation of the petitioner dated 22.10.2010.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that earlier representation was given in the year 2010 and hence, the petitioner may be directed to give a fresh representation to the first respondent.

5. In view of the above said submission, the petitioner is directed to give a fresh representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the first respondent shall consider the same and pass orders on merits and in accordance with law, after giving necessary opportunities to all the necessary parties, within a period of twelve weeks, thereafter.

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

To

1.The Collector, Dindigul District, Dindigul.

2.The Assistant Director of Village Panchayat,
Dindigul District, Dindigul.

3.The Revenue Divisional Officer,
Dindigul District, Dindigul.

+1CC to Mr.G.Gomathi Shankar, Advocate, SR.No. 71187

+1CC to the Special Government Pleader SR.No. 71670

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