

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 9.7.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH  
AND  
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.A.No.863 of 2018  
and  
C.M.P.No.7613 of 2018

D.Rogue Sagayaraj ... Appellant

Versus

1. The District Collector,  
Kancheepuram District,  
Collectorate Campus, Kancheepuram.
2. The Additional Director of Panchayat/  
Audits,  
Maduranthagam/Kancheepuram.
3. The Block Development Officer  
(Village Panchayats)  
Madurantakam Panchayat Union at  
Madurantakam,  
Madurantakam Taluk. ... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 10.10.2017 passed in W.P.No.26410 of 2017 on the file of this court.

Prayer in W.P.No.26410 of 2017:Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 1<sup>st</sup> respondent in proceedings in Na.Ka.No.2797/2013/PAA2 dated 06.11.2015, quash the same, direct the 1<sup>st</sup> respondent to reinstate the petitioner in service according to the seniority.

For appellant : Mr.K.Alayappan

For respondent : Mr.P.S.Sivashanmugasundaram,  
Special Government Pleader

## JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader, who takes notice on behalf of the respondents.

2. The writ appeal has been filed by the writ petitioner challenging the order of the learned Single Judge in dismissing the writ petition and thereby declining to interfere with his suspension order.

3. The allegation against the appellant/writ petitioner, a Panchayat Secretary, is that he had misappropriated a huge sum of Rs.81,37,349/- belonging to the Onampakkam Panchayat Union by creating forged documents and drawing cheques in his name and thereupon, he is facing a criminal case for the offences under sections 120(b), 409, 420, 477(A) of the Indian Penal Code on the file of Judicial Magistrate II, Chengleput in C.C.No.280 of 2015 and as a consequence he had been issued with suspension order.

4. While entertaining the writ appeal on 6.6.2018, we ordered to deposit the amount alleged to have been misappropriated, within a period of two weeks, however, the time limit for making such deposit was extended twice thereafter, But, it appears that the appellant has not come forward to comply with the order passed by this court.

5. Now, the stand taken by the appellant is that so far he has not been issued with any charge memo, etc. Considering the gravity of the misconduct only, this court has directed to deposit the entire amount involved to provide him an opportunity of hearing. In the absence of any such deposit, the appellant/writ petitioner has no voice to re-agitate the matter. The writ appeal is dismissed. No costs. The connected miscellaneous petition is also dismissed.

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Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssk.

To:

1. The District Collector,  
Kancheepuram District,  
Collectorate Campus, Kancheepuram.
2. The Additional Director of Panchayat/  
Audits,  
Maduranthagam/Kancheepuram.
3. The Block Development Officer  
(Village Panchayats)  
Madurantakam Panchayat Union at  
Madurantakam, Madurantakam Taluk.

+1cc to Mr.K.Alayappan, Advocate Sr.44783  
+1cc to the Government Pleader Sr.45361

W.A.No.863 of 2018

vba[co]  
srg 29/08/2018



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