



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.7361 of 2013

R.Thanga Murugesan

... Petitioner

Vs.

1. The Chief Engineer,
Tamil Nadu Water Supply and Drainage Board,
South Division,
Mattu Thavani,
Madurai.
2. The Superintending Engineer,
Tamil Nadu Water Supply and Drainage Board,
Tirunelveli and Kanyakumari Circle,
Tirunelveli -02.
3. Punitha
Assistant Engineer,
Tamil Nadu Water Supply and Drainage Board,
Section I / RWS Sub Division,
Nagercoil,
Kanyakumari District.

... Respondents

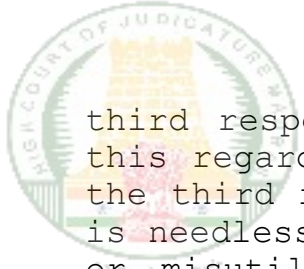
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the first respondent to consider the petitioner representation dated 08.02.2013 and to take appropriate departmental enquiry against the third respondent for misusing the official capacity and for submitting the false report to the higher authorities.

For Petitioner	: Mr.M.Saravanakumar
For R1 & R2	: Mr.K.Porkodi Karnan
For R3	: R.Sathish

O R D E R

The relief sought for in this writ petition is for a direction to direct the first respondent to consider the petitioner's representation dated 08.02.2013.

2. The learned counsel for the writ petitioner states that there is a total abuse of power by the Assistant Engineer / third respondent. This apart, the panchayat funds are mis-utilised by the



third respondent while executing certain work in the panchayat in this regard. The writ petitioner had submitted a complaint against the third respondent on 08.02.2013 and no action has been taken. It is needless to state that if any panchayat funds are misappropriated or misutilised, the competent authorities are bound to initiate action against the officials, who had done such act of misappropriation of the panchayat funds. However, those aspects are to be enquired into by the competent authorities.

3. Thus, the first respondent is directed to consider the representation submitted by the writ petitioner on 08.02.2013 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all communicated records along with the copy of the order passed in this writ petition.

4. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Engineer,
Tamil Nadu Water Supply and Drainage Board,
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Mattu Thavani,
Madurai.
2. The Superintending Engineer,
Tamil Nadu Water Supply and Drainage Board,
Tirunelveli and Kanyakumari Circle,
Tirunelveli -02.
3. Punitha
Assistant Engineer,
Tamil Nadu Water Supply and Drainage Board,
Section I / RWS Sub Division,
Nagercoil,
Kanyakumari District.

+ 1 CC TO Mr.M.SARAVANAKUMAR, ADVOCATE IN SR No. 54038
+ 1 CC TO Mr.PORKODI KARNAN, ADVOCATE IN SR No. 54729

MM

TE/SKN-RSK/SAR-4 : 04/04/2018 : 2P/6C

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