



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.06.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.17117 of 2020

M.Chinnathangam

... Petitioner

Vs.

1.The Director,
Rural Development and Panchayat,
Panagal Malligai Office,
Chennai - 15.

2.The District Collector,
Pudukkottai District.

3.The Commissioner,
Panchayat Union Office,
Viralimalai,
Pudukkottai District.

4.Mrs.Radha

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1 to 3 respondents to take appropriate action against the 4th respondent based on my representation dated 09.10.2020.

For Petitioner

: Mr.S.Pugalendhi

For Respondents

: Mr.M.Lingadurai

Government Advocate for R1 to R3

Mr.P.Ganapathi Subramanian for R4

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to take action against the fourth respondent, based on the representation made by the petitioner on 09.10.2020.

2. The petitioner is an elected Ward Member of Velur Panchayat. The petitioner had given a complaint against the fourth respondent, who is the president of the Panchayat on the ground that there is large scale misappropriation of funds. The grievance of the petitioner is that the representation was not considered and therefore, left with no other option, the present Writ Petition has been filed before this Court seeking for appropriate directions.



3. The learned Government Advocate, based on the written instructions, submitted that on the complaint given by the petitioner, an enquiry was conducted and an inspection was made and various irregularities were identified. Thereafter, a show cause notice was issued to the fourth respondent on 12.01.2021, by the Assistant Director (Panchayat), Pudukottai, calling for her explanation. The learned Government Advocate submitted that the fourth respondent is not co-operating for the enquiry.

4. Taking into consideration the facts and circumstances of the case and also of the fact that an enquiry has already been initiated against the fourth respondent, there shall be a direction to the Assistant Director (Panchayat), Pudukottai, to complete the enquiry, within a period of six weeks from the date of receipt of a copy of this order. If the fourth respondent does not co-operate for the enquiry, a report shall be prepared based on the materials available and after taking the statements of the witnesses. The report shall be placed before the second respondent and thereafter, the second respondent shall proceed further in accordance with the Tamil Nadu Panchayat Act, 1994.

5. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Director,
Rural Development and Panchayat,
Panagal Malligai Office,
Chennai - 15.

2.The District Collector,
Pudukkottai District.



3.The Commissioner,
Panchayat Union Office,
Viralimalai,
Pudukottai District.

4.The Assistant Director (Panchayat),
Pudukottai.

+1 CC to M/s.SPL GP (SR-20312[F] dated 25/06/2021)

+1 CC to M/s.S.PUGLANTHI, Advocate (SR-20390[F] dated 28/06/2021)

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KB(02.07.2021) 3P 7C