



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.17419 of 2021

Karuppasamy

... Petitioner

Vs.

1.The District Collector Cum Inspector of Panchayat,
Madurai District.

2.The Assistant Director of (Panchayats),
Madurai District.

3.A.G.Sharmila

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to dispose of the proceedings initiated under section 205 of Tamil Nadu Panchayats Act, 1994 against the third respondent within the stipulated period by considering the petitioner's representations dated 31.08.2021 and 04.09.2021.

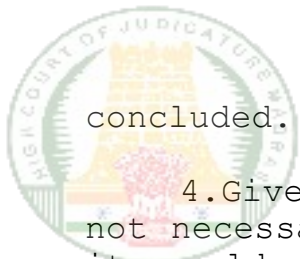
For Petitioner	: Mr.R.Gandhi
For R1 and R2	: Mr.P.Subbaraj
	Counsel for State
For R3	: Mrs.M.Rajeswari

ORDER

The petitioner seeks the early disposal of proceedings initiated against the third respondent under Section 205 of the Tamil Nadu Panchayats Act, 1994.

2.The petitioner asserts that the third respondent, who is the President of the Kottaimedu Village Panchayat, has indulged in misappropriation and diversion of the panchayat funds by abusing her office. Therefore, the petitioner submitted multiple representations and also filed W.P.(MD).No.6817 of 2020 before this Court. Eventually, it is stated that proceedings were initiated under Section 205 of the Tamil Nadu Panchayats Act by issuing a notice dated 02.07.2021. The present writ petition is filed for the expeditious disposal of such proceedings.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 and 2 and Mrs.M.Rajeswari, learned counsel, accepts notice for the third respondent. It is submitted on behalf of the third respondent that she has produced all relevant documents for the consideration of the first respondent. In addition, it is submitted that a reasonable opportunity should be provided to the third respondent before the relevant proceedings are



concluded. The said request is unexceptionable.

4. Given the limited scope of the present writ petition, it is not necessary to enter any findings on the merits thereof. Instead, it would be sufficient if the first respondent is directed to conclude the pending proceedings within a reasonable time frame.

5. Accordingly, the first respondent is directed to proceed with and conclude the proceedings initiated under Section 205 of the Tamil Nadu Panchayats Act, 1994, within a period of three (3) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the third respondent herein. The first respondent shall consider all the documents and objections raised by the third respondent and provide a personal hearing to the third respondent before issuing a reasoned order within the time limit indicated above.

6. W.P.(MD).No.17419 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sn/sji

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 District Collector Cum Inspector of Panchayat,
Madurai District.

2. The Assistant Director of (Panchayats),
Madurai District.

+1 CC to M/s.R.GANDHI, Advocate (SR-30555[F] dated 28/09/2021)

+1 CC to M/s.SPL.GP (SR-30579[F] dated 29/09/2021)

W.P(MD).No.17419 of 2021
28.09.2021

NSN (CO)

RS (07.10.2021) 2P 5C

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