



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.5949 of 2022

B.Deva

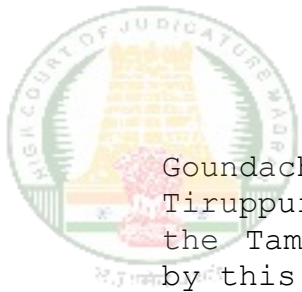
... Petitioner

Vs.

- 1.The District Collector,
The Office of Tiruppur District Collectorate,
Tiruppur - 641 604.
- 2.The Block Development Officer,
Dharapuram Panchayat Union,
Tiruppur District - 638 656.
- 3.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
No.40, Ansar Nagar,
2nd Street, Behind SAP Theatre,
Avinashi Road,
Tiruppur - 641 603.
- 4.Selvi,
The President of Goundachipudur Village Panchayat,
No.276/3, Alangayam Road,
Ramnagar, Kondarasampalayam Post,
Dharapuram Taluk,
Tiruppur District - 638 656.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to conduct an enquiry with respect to the Special Audit for the accounts of Goundachipudur Village Panchayat, Dharapuram Panchayat Union, Tiruppur District for the Financial year 2019-2020 and 2020-2021 on granting adequate opportunity to the petitioner to submit his objections as per the petitioner's representation dated 11.12.2021 and subsequently to take action against the 4th respondent to remove her from the Office of the President of



Goundachipudur Village Panchayat, Dharapuram Panchayat Union, Tiruppur District, in exercise of the power Under Section 205 of the Tamil Nadu Panchayats Act, 1994 within the time stipulated by this Court.

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For Petitioner : Mr.K.V.Muthu Visakan

For RR 1 & 3 : Mr.R.Kumaravel
Additional Government Pleader

For R2 : Mr.T.Venkatesh Kumar
Additional Government Pleader

For R4 : Mr.R.Mohammed Ashish
for Mr.T.Arunkumar

O R D E R

The petitioner has come out with the present Writ Petition for a direction to the respondents 1 & 2 to conduct an enquiry and to take action against the 4th respondent.

2.Heard the learned counsel appearing for the petitioner, learned Additional Government Pleader appearing for the respondents 1 & 3, learned Additional Government Pleader appearing for the 2nd respondent as well as the learned counsel appearing for the 4th respondent and perused the entire materials on record.

3.According to the petitioner, the 4th respondent has committed various irregularities and misused the funds allotted to the Panchayat and misappropriated the amounts. The Assistant, Block Development Office (Audit) filed audit report for the year 2020-2021 with various irregularities committed by the 4th respondent. Hence, the petitioner sent a representation dated 11.12.2021 to the respondents 1 & 2, complaining about the illegalities committed by the 4th respondent and the same was received by the respondents on 13.12.2021. Since no action is taken on the said representation dated 11.12.2021 by the respondents 1 & 2, the petitioner has come out with the present Writ Petition.

4.Mr.R.Kumaravel, learned Additional Government Pleader appearing for the respondents 1 & 3 submitted that the 4th respondent has assumed charge only on 06.01.2022. Subsequent to 06.01.2022, there was no audit conducted for the 4th respondent Panchayat.



5.The learned counsel appearing for the 4th respondent denied all the allegations made by the petitioner and prayed for dismissal of the Writ Petition.

6.From the above materials, it is seen that the petitioner has made serious monetary irregularities committed by the 4th respondent and relied on the audit report. According to the learned Additional Government Pleader appearing for the respondents 1 & 3, no audit was conducted after the 4th respondent assumed charge as President.

7.Considering the above materials, without deciding the issue on merits, the respondents 1 & 2 are directed to consider the representation of the petitioner dated 11.12.2021 on merits and pass orders, after giving opportunity to the petitioner as well as to the 4th respondent, within a period of four weeks from the date of receipt of a copy of this order.

8.With the above directions, the Writ Petition is disposed of. No costs.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

krk

To

1.The District Collector,
The Office of Tiruppur District Collectorate,
Tiruppur - 641 604.

2.The Block Development Officer,
Dharapuram Panchayat Union,
Tiruppur District - 638 656.

3.The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
No.40, Ansar Nagar,
2nd Street, Behind SAP Theatre,
Avinashi Road, Tiruppur - 641 603.

+1cc to Mr.K.V.Muthu visakan, Advocate Sr.20839

+1cc to the Government Pleader Sr.21037

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