

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.33269 of 2012

and

M.P.No.1 of 2012

M.Arunachalam

... Petitioner

Vs.

1.The Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.The Block Development Officer,
(Village Panchayat)
Kizhpennathu, Tiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records and papers from the files of the second respondent pertaining to his impugned notice bearing Na.Ka.OOA1/5153/2005 dated 16.11.2012 and to quash the same.

For Petitioner : Mr.K.M.Ramesh

For R1 : Mr.C.Meera Arumugam,
Additional Government Pleader

For R2 : No appearance

O R D E R

The petitioner has challenged the impugned Show Cause Notice dated 16.11.2012 bearing reference Na.Ka.OOA/5153/2005 issued by the second respondent to the petitioner to show cause as to why the criminal proceedings should not be initiated against the petitioner for the death of one Selvadurai, S/o.Chinnasamy employed for digging bore well who met with an accident and died on 28.06.2003. In the impugned Show Cause Notice, the petitioner was directed to pay the compensation of Rs.4,29,640/- awarded by the Commissioner for Workmen's Compensation (Deputy Commissioner of Labour - 1), Chennai vide the order dated 13.10.2010 in W.C.No.376 of 2005. It is noticed that the aforesaid amount of

Rs.4,29,640/- was directed to be paid by the President of Panchayat and the second respondent Block Development Officer (Village Panchayat). When the accident took place on 28.06.2003, the petitioner was the elected President of Kazhikulam Panchayat and was incharge for the work of digging bore well and therefore, the impugned Show Cause Notice was issued to the petitioner.

2. Today, the learned Additional Government Advocate for the first respondent submits that the second respondent Block Development Officer has obtained approval from the first respondent District Collector and has deposited a sum of Rs.9,83,205/- vide Cheque No.390534 dated 30.04.2014. The learned Additional Government Advocate for the first respondent further submits that she has instruction to inform this Court that the respondents have withdrawn the impugned proceedings initiated against the petitioner.

3. Recording the same, this Writ Petition stands closed. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

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To

1.The Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.The Block Development Officer,
(Village Panchayat)
Kizhpenanthu, Tiruvannamalai District.

+1cc to Mr.K.M.Ramesh, Advocate SR.No.40917

W.P.No.33269 of 2012
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SSI(CO)
GMY(18/07/2022)