



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.05.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Writ Petition No.12663 of 2022
and
W.M.P.No.12113 of 2022

P.R.Rangarajan

... Petitioner

-Vs-

- 1 .The District Collector,
The Inspector of Panchayat,
Coimbatore District,
Coimbatore.
2. The Assistant Director of Rural
Development (Audit),
Collectorate Building,
Coimbatore District,
Coimbatore.
3. The Block Development Officer (VP),
Karamadai Panchayat Union,
Coimbatore District,
Coimbatore.

... Respondents

PRAYER:-

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records on the 2nd respondent made in Na.Ka.No.1163/2018/A4 dated 12.01.2022 and Na.Ka.No.1163/2018/A4 dated 24.03.2022 and to quash the same as that it is issued without jurisdiction and stays in de hors of the provisions of the Tamil Nadu Panchayat Act 1994.

For Petitioners : Mr.V.R.Kamalanathan

For Respondents : Mr.S.Arumugam
Government Advocate



O R D E R

With the consent of the learned counsel for both sides, the writ petition is disposed of at the admission stage itself.

2. Heard Mr.V.R.Kamalanathan, learned counsel for the petitioner and Mr.S.Arumugam, learned Government Advocate for the respondents.

3. The petitioner questions the initiation of surcharge enquiry against him. As rightly pointed out by the learned Government Advocate, the question of interfering with the impugned orders at this stage does not arise. However, there is substance in the contention raised by the petitioner's counsel that, without furnishing the copies of the NOC said to have been issued by the petitioner, the enquiry obviously cannot proceed further. The petitioner has made a request by letter dated 08.04.2022.

4. The respondents are directed to consider the petitioner's request dated 08.04.2022 and make available the NOC said to have been issued by the petitioner and thereafter hold the enquiry in question. If for any reason the direction cannot be complied with, a formal written order shall be passed on the request of the petitioner dated 08.04.2022 so that the petitioner will be in a position to question the same.

5. With the above direction, this writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

KST

To

1. The District Collector,
The Inspector of Panchayat,
Coimbatore District,
Coimbatore.



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Development (Audit),
Collectorate Building,
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Coimbatore.

3. The Block Development Officer (VP),
Karamadai Panchayat Union,
Coimbatore District,
Coimbatore.

+1cc to Mr.V.R.Kamalanathan, Advocate, S.R.No.31415
+1cc to the Government Pleader, S.R.No.31517

W.P.NO.12663 OF 2022

SJ(CO)
PBS/20/05/2022