



W.P(MD).No.17198 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 14.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

**W.P.(MD).No.17198 of 2014
M.P(MD).Nos.2 of 2014 & 1 of 2015**

1.S.Jeya Lakshmi

2.V.P.Venkatraman

....Petitioners

Vs

1.The District Collector/Inspector of Panchayat
Office of the District Collectorate
Trichy District

2.The Block Development Officer
K.Kallikudi Panchayat
Manikandam Union
Trichy District

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records pertaining to the Impugned Order in Na.Ka.A2/3269/2013 dated 24.09.2014 on the file of the respondent No.1 and quash the same as illegal.

For Petitioners : Mr.T.Lajapathi Roy

For Respondents : Mr.B.Saravanan
Additional Government Pleader



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ORDER

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The present writ petition has been filed challenging an order passed by the District Collector in which the cheque signing power of the Panchayat President and Vice Panchayat President has been withdrawn and conferred upon the Block Development Officer.

2. Admittedly, the tenure of the writ petitioners has got expired in the year 2016 and hence, nothing survives to be adjudicated in the present writ petition. However, the learned counsel for the petitioners expressed apprehension that there is an allegation of misappropriation of a sum of Rs.2,69,695/- as against the writ petitioners and the respondents are likely to proceed further as against the writ petitioners.

3. In view of the Tamil Nadu Panchayats (Surcharge, Disallowance and Charge) Rules, 2000, unless the surcharge certificate is issued by the Assistant Director of Rural Development (Audit), the District Collector will not have any jurisdiction to proceed further as against the writ petitioners. Hence, the apprehension expressed by the writ petitioners is unfounded. The writ petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

14.11.2022

Internet : Yes/No
Index : Yes/No
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R.VIJAYAKUMAR, J.

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Pre-delivery order made in

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