



W.P(MD)No.22232 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P(MD)No.22232 of 2017

P.Maheswaran

... Petitioner

VS.

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. The Assistant Director of Rural Welfare (Audit),
Office of the Assistant Director of Rural Welfare (Audit),
Tirunelveli.

3. Shanmuga Vadivoo

4. Mahesh

5. Umasankar

... Respondents

(R3 to R5 are impleaded vide Court order dated 19.01.2018 in WMP(MD)No. 18908/2017)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to take expedite action on the petitioner's petition dated 23.11.2016 and

1/5



W.P(MD)No.22232 of 2017

dispose of the same within a time stipulated by this Court based on his representation dated 19.06.2017.

For Petitioner	: Mr.T.Selvan
For R1 & R2	: Mr.S.P.Maharajan Special Government Pleader
For R3	: No appearance
For R4	: Mr.S.Chellapandian
For R5	: Mr.R.J.Karthick

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The petitioner has filed this Writ Petition for a Mandamus, directing the respondents to take expedite action on his petition dated 23.11.2016 and dispose of the same within a time frame, based on his representation dated 19.06.2017.

2. The petitioner is a resident of Pillaiyarkulam Panchayat. Alleging allegation of misappropriation of the panchayat funds against the respondents 3 to 5 by creating false documents and bills, the petitioner sent a petition dated 23.11.2016 to the first respondent/District Collector, to take action against them. Finding inaction on the part of the first respondent, he made a reminder dated 06.01.2017 and a representation dated 19.06.2017

2/5



W.P(MD)No.22232 of 2017

in this regard. Finding no heed to it was paid, the petitioner has filed this writ petition.

3. A detailed counter affidavit has been filed by the second respondent, wherein, he has averred that the Director of Rural Development and Panchayats Department has issued the proceedings dated 09.06.2017 in Letter No.74475/2016/V/C/1-2 to the first respondent, to appoint an enquiry officer to enquire into the allegations reported by the petitioner. Accordingly, the first respondent has also appointed the second respondent, as enquiry officer, vide proceedings No.N12.52050/16, dated 28.06.2017, to conduct an enquiry. Pursuant thereto, the second respondent also issued summons to the petitioner as well as the respondents 3 to 5, conducted enquiry and recorded their statements. The findings of the enquiry officer are detailed at paragraph 8 of the counter affidavit filed by the second respondent. The said findings of the second respondent along with his report have been forwarded to the first respondent for taking appropriate action against the persons concerned.

4. In view of the abovesaid counter averments, the learned Special Government Pleader appearing for the respondents 1 and 2 submitted that the prayer of the petitioner is met with by the official respondents.



W.P(MD)No.22232 of 2017

WEB COPY

5. Recording the said submission, the Writ Petition is closed. No costs.

[R.M.D.,J.] & [J.S.N.P.,J.]
20.09.2022

Index : Yes / No
Internet : Yes
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To

1. The District Collector,
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Office of the Assistant Director of Rural Welfare (Audit),
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W.P(MD)No.22232 of 2017

R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

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ORDER MADE IN
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