



W.P.No.12290 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.12290 of 2023

Panjavarnam

... Petitioner

-Vs-

1. The Principal Secretary
Government of Tamil Nadu Rural Development
and Panchayat Raj Department
Secretariate
Chennai- 9.
2. The Director
Directorate of Vigilance and Anti Corruption
Chennai- 16.
3. Deputy Superintendent of Police
Vigilance and Anti Corruption Wing
Cuddalore Detachment
Cuddalore District.
4. District Collector /
Inspector of Panchayat
Cuddalore District
Cuddalore.
5. Sakthivel



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6. Sankar
Block Development Officer
Mangalore Union
Cuddalore District.

7. Angeshwari
Panchayat Secretary
Korakkavadi Village Panchayat
Mangalore Union
Cuddalore District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the First respondent to implement the Tamil Nadu State Vigilance Commission order U.O.Note.No.3157 / VC- II / 2022 - 1 dated 30.08.2022 in accordance with law and pass.

For Petitioner Mr.M.Velmurugan

For Respondents Mr.C.Selvaraj
Additional Government Pleader
R1 to R4

ORDER

When the writ petition came up for hearing on 21.04.2023, this Court passed the following order:

"This writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to act upon the decision taken by the Tamil Nadu State Vigilance Commission through proceedings dated 30.08.2022 and to take action against respondents 5 to 7.



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2. The case of the petitioner is that the fifth respondent, who was the Panchayat President, had conspired with the officials/respondents 6 and 7 herein and had withdrawn the fund that was allotted by the Central Government towards the house that was allotted to the petitioner. Based on the complaint, the Tamil Nadu Vigilance Commission conducted an enquiry and found that there are materials to proceed against respondents 5 to 7. Accordingly, a recommendation was sent to the District Collector for taking action against the fifth respondent and further recommendation was made for initiating departmental action as against respondents 6 and 7.

3. The grievance of the petitioner is that till date, no action has been taken against respondents 5 to 7 and aggrieved by the same, the present writ petition has been filed before this Court.

4. Learned Additional Government Pleader appearing on behalf of respondents 1 to 4 submitted that already action has been initiated against the respondents 6 and 7 and the disciplinary authority has also issued notice to respondents 6 and 7. The relevant documents were also placed before this Court.

5. Insofar as the fifth respondent, who was the Panchayat President, there is no material to show that any action was initiated against the President by the District Collector. When this was pointed out to learned Additional Government Pleader, he sought for some time.

Post this writ petition under the caption 'for orders' on 27.04.2023".

2. When the matter was taken up for hearing today, the learned Additional Government Pleader submitted that action was also initiated as against the President of the Panchayat and the relevant documents were also placed before this Court. The notice has



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been issued to the President of the Panchayat on 10.04.2023 and the Panchayat President has given his explanation on 19.04.2023. The learned Additional Government Pleader submitted that the explanation given by the Panchayat President will be taken into consideration and further decision will be taken by the District Collector.

3.In the light of the above developments, the recommendations that were made by the State Vigilance Commission through proceedings dated 30.08.2022 has been acted upon and the various steps that were taken in that regard has been recorded in the previous order and also in the present order.

4.This writ petition is disposed of accordingly. No costs.

27.04.2023

KP

Internet : Yes/No

Index : Yes/No

Speaking Order:Yes/No

Neutral Citation :Yes/No



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WEB COPY

To

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N.ANAND VENKATESH, J.

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