



Writ Petition No.13567 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.13567 of 2023

Subramani

S/o.Periyasamy

... Petitioner

Vs.

1.The District Collector,
Kallakurichi District.

2.The Assistant Director (Panchayats),
Kallakurichi District.

3.The Block Development Officer,
Thirunavalur,
Kallakurichi District.

4.The Assistant Director (Audit),
Office of the Assistant Director (Audit),
Kallakurichi District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the fourth respondent to conduct an enquiry and file a report as per the proceedings issued by the first respondent in Na.Ka.No.Pa A1/4527/2022 dated 12.01.2023 and direct the first respondent to take action based on the report filed by the fourth respondent within a time frame fixed by this Court.



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For Petitioner : Mr.K.C.Karl Marx
For Respondents : Mr.S.Arumugam
Government Advocate [R1, R2 & R4]
Mr.M.S.Prem Kumar [R3]

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to take action based on the complaint given by the petitioner wherein the petitioner has alleged that the Panchayat President of the Irundhai Village had committed various misappropriation of funds belonging to the Panchayat.

2. Heard Mr.K.C.Karl Marx, learned counsel for petitioner, Mr.S.Arumugam, learned Government Advocate appearing for respondents 1, 2 and 4 and Mr.M.S.Prem Kumar, learned counsel appearing for the third respondent.

3. The petitioner is a resident of Irundhai village. According to the petitioner, the Panchayat President committed misappropriation of funds of the panchayat on various occasions. The petitioner, therefore, gave a representation on 03.04.2022 and requested the first respondent to take appropriate action. The further case of the petitioner is that the first



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respondent appointed the fourth respondent through proceedings dated 12.01.2023 to conduct an enquiry and to file a report. The grievance of the petitioner is that the fourth respondent did not conduct any enquiry and no report has been placed before the first respondent. Left with no other option, the present writ petition has been filed.

4. Learned Government Advocate appearing on behalf of respondents 1, 2 and 4 submitted that the fourth respondent has already conducted an enquiry and the report has been placed before the first respondent. Learned Government Advocate therefore submitted that the first respondent will take a decision on the complaint made by the petitioner and also based on the report submitted by the fourth respondent within a reasonable time.

5. Taking into consideration the submissions made by learned Government Advocate, there shall be a direction to the first respondent to take a final decision on the complaint given by the petitioner based on the report submitted by the fourth respondent within a period of six (6) weeks from the date of receipt of a copy of this order.

N.ANAND VENKATESH, J



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gm

This Writ Petition is disposed of with the above direction. No costs.

28.04.2023

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm

To

- 1.The District Collector,
Kallakurichi District.
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Kallakurichi District.
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