



WEB COPY



W.P.No.17041 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17041 of 2023
and WMP No.16226 of 2023

M.Ramachandran

... Petitioner

.Vs.

1.The District Collector
Ranipet District
Ranipet.

2.The Assistant Director of Panchayat
Ranipet District
Ranipet.

3.Itchiputhur village Panchayat
Rep by its President
Itchiputhur Village
Arakkonam Taluk
Ranipet District.

4.Padmanaban
President
Itchiputhur Village Panchayat
Itchiputhur Village
Arakkonam Taluk
Ranipet District.

5. Ibrahim
Panchayat Secretary
Itchiputhur Village Panchayat
Itchiputhur Village
Arakkonam Taluk
Ranipet District.

.. Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to disqualify the 4th respondent President and to initiate disciplinary action against the 5th respondent Secretary for their act of criminal misconduct and for the misappropriation of the funds of 3rd respondent Panchayat, by considering the representation dated 10.04.2023.

For Petitioner Mr.P.Krishnan

For Respondent Mr.S.Arumugam
Government Advocate
for R1, R2

Mr.V.Ramesh
Government Advocate
for R3

ORDER

The elected Ward member of Itchiputhur Village Panchayat has filed this writ petition for a direction to the official respondents to consider the representation dated 10.04.2023 and to initiate necessary action against the 4th and 5th respondents who are the President of the Village Panchayat and the Panchayat Secretary respectively.

2.When the matter was taken up for admission, the learned Government Advocate appearing on behalf of the 1st and 2nd respondents submitted that the complaint given by the



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petitioner has already been acted upon by the Assistant Director of Panchayat and through a communication dated 17.05.2023, the BDO, Arakkonam has already been directed to conduct an enquiry and to submit a report. The learned Government Advocate further submitted that on receipt of the report, the Assistant Director will forward the same to the District Collector to enable the District Collector to take necessary action under Section 203 and / or 205 of the Panchayat Act insofar as the 4th respondent is concerned. Insofar as the 5th respondent, in the event of receiving an adverse report, disciplinary action will be initiated against the 5th respondent in accordance with law. The learned Government Advocate therefore sought for sometime to complete this process.

3. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner specifically pointing out 12 occasions where the misappropriation had taken place, there shall be a direction to the 2nd respondent to deal with the complaint and act as per the submission made before this Court within a period of four weeks from the date of receipt of copy of this order. In the event of an adverse report being received, it shall be acted upon immediately by the 1st respondent. Considering the nature of allegation, the 4th and 5th respondents shall utilise the funds of the Panchayat after getting the concurrence from the BDO, Arakkonam. A copy of this order shall also be marked to the BDO, Arakkonam.



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4.This writ petition is disposed of in the above terms. No costs. Consequently,
connected miscellaneous petition is closed.

08.06.2023

KP

Internet : Yes/No

Index : Yes/No

Neutral Citation :Yes/No



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Ranipet District.
5. Ibrahim
Panchayat Secretary
Itchiputhur Village Panchayat
Itchiputhur Village
Arakkonam Taluk
Ranipet District.
- 6.Block Development Officer (BDO)
Arakkonam, Ranipet District.

N.ANAND VENKATESH, J.
KP



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