



W.P.No.18338 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.18338 of 2023
and WMP No.17543 of 2023

S.Malathi

... Petitioner

.Vs.

1.The District Collector
The Office of the Collectorate
Tiruvannamalai
Tiruvannamalai District.

2.The Assistant Director
Village Panchayat
Tiruvannamalai
Tiruvannamalai District.

3.The Block Development Officer
Thandampattu Taluk
Tiruvannamalai District.



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4.Mrs.Shakilar
W/o.Subburayan
Village President
Tharadapattu Village
Thandampattu Taluk
Tiruvannamalai District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records pertaining to the impugned orders in ந.க.2838/2022/ அ2.உ.இ.(அ).தி.கோ dated 06.10.2022 passed by the 1st respondent and quash the same; consequently direct the 1st respondent to retaining the cheque signing power to petitioner.

For Petitioner Mr.K.Karthik

For Respondents Mrs.S.Mythreye Chandru
Special Government Pleader
for R1, R2
Mr.D.Ravichandran
Special Government Pleader
for R3

ORDER

This writ petition has been filed challenging the proceedings of the 1st respondent in Naka No.2838/2022/ அ2.உ.இ.(அ).தி.கோ dated 06.10.2022, wherein the cheque signing power of the petitioner was withdrawn by the 1st respondent and



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instead it was given in favour of the 6th ward member.

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2.Heard Mr.K.Karthik, learned counsel for the petitioner, Mrs.S.Mythreye Chandru, learned Special Government Pleader for R1, R2 and Mr.D.Ravichandran, learned Special Government Pleader for R3.

3.The main ground that was raised by the learned counsel for the petitioner is that the petitioner who is the Vice President of the Panchayat was making repeated complaints against the President of the Panchayat since there was large scale misappropriation and the husband of the petitioner was virtually controlling the affairs of the Panchayat. It is under these circumstances, the cheque signing power of the petitioner was withdrawn and before taking such an action, the petitioner was not put on notice and was not given any opportunity. The further case of the petitioner is that the impugned proceedings dated 06.10.2022, came to the knowledge of the petitioner only subsequently during the year March 2023.

4.In the considered view of this Court, the cheque signing power of the petitioner has been withdrawn right from October 2022 till date. Unfortunately, the proceedings of the 1st respondent was not put to challenge at the earliest point of time. Even assuming that the petitioner was not aware about the proceedings of



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the 1st respondent dated 06.10.2022, the fact that the petitioner was not allowed to sign

any cheques thereafter should have made the petitioner to enquire as to why that power has been withdrawn from the petitioner.

5. In order to strike a balance, this Court deems it proper to dispose of this writ petition, by directing the petitioner to give a detailed representation to the 1st respondent by explaining the entire facts and seeking for the revocation of the withdrawal of the cheque signing power of the petitioner. This representation shall be given by the petitioner within a period of one week from the date of receipt of a copy of this order. On receipt of the representation from the petitioner, the 1st respondent shall deal with the same and shall take an appropriate decision on its own merits and in accordance with law, within a period of three weeks from the date of receipt of the representation from the petitioner. It is also made clear that the 1st respondent shall independently enquire into the complaint already given by the petitioner as against the President regarding financial irregularities committed in the Panchayat. A decision shall be taken in this regard after conducting an enquiry as expeditiously as possible.



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6.This writ petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

23.06.2023

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KP

Internet : Yes/No

Index : Yes/No

Neutral Citation :Yes/No

To

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N.ANAND VENKATESH, J.

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