



W.P.(MD) No.1417 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1417 of 2023

T.Siva

... Petitioner

Vs.

1.The District Collector,
Theni District,
Theni.

2.The Assistant Director (Panchayat),
Rural Development and Panchayat Raj
Department,
Theni District.

3.The Block Development Officer,
Andipatti Taluk,
Theni District.

4.Ganiraja

... Respondents



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WEB COPY PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to conclude the proceedings in Na.Ka.No.14400/2022/iku-2, dated 06.08.2022 against the 4th respondent within the stipulated time limit fixed by this Hon'ble Court.

For Petitioner : Mr.S.Saravana Kumar
For Respondents : Mr.P.Thilak Kumar,
Govt. Pleader for R1 to R3

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to conclude the proceedings in Na.Ka.No. 14400/2022/iku-2, dated 06.08.2022 against the 4th respondent, within the stipulated time limit fixed by this Hon'ble Court.

2. Heard Mr.S.Saravana Kumar, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for respondents 1 to 3. Considering the nature of the order proposed to be passed in this Writ Petition, notice to the fourth respondent is dispensed with.



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WEB COPY 3. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The learned counsel appearing for the petitioner submitted that the petitioner was elected as 5th Ward Member in Thirumalapuram Panchayat, Thirumalapuram, Kunnur Post, Theni District and the 4th respondent is the President of the said village. He further submitted that the 4th respondent has swindled the panchayat amount of Rs.22,00,00/- and he has not made any work in the panchayat. On the basis of the complaint given by the village people, the first respondent has initiated proceedings against the fourth respondent under Section 205 of the Tamil Nadu Panchayat Act, 1994. Thereafter, there is no progress and hence, the petitioner has filed this Writ Petition.

5. The learned Government Pleader appearing for the respondents submitted that based on the complaint, action has been taken by the respondents and show cause notice has been served to the 4th respondent and the explanation of the President has not been satisfied and therefore, necessary orders have been



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passed under Section 203 of the Tamil Nadu Panchayat Act, 1994 by withdrawing the cheque signing power of the 4th respondent. He has also produced the proceedings of the District Collector, Theni, dated 21.01.2023, addressed to the Tahsildar, Andipatti. He further submitted that the first respondent has initiated further proceedings by following the procedure as contemplated under the Tamil Nadu Panchayat Act, 1994 and the said proceedings will be concluded at an earliest.

6. Recording the same, this Writ Petition is disposed of. It is needless to say that the authority will take necessary action at an earliest. No costs.

[D.K.K., J.] [R.V., J.]

25.01.2023

NCC : Yes / No

Index : Yes / No

vsm



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D.KRISHNAKUMAR, J.



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