



W.P(MD)No.5006 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.5006 of 2023

Kottaipatti Panchayat

Rep.by its President A.Anthony

... Petitioner

Vs

1. The Principal Secretary,
Tamil Nadu Rural and Panchayatraj Department,
Secretariat, Chennai.
2. The Commissioner,
Tamil Nadu Rural and Panchayatraj Department,
Panagal Maligai, Saidapet,
Chennai.
3. The District Collector,
Virudhunagar District, Virudhunagar.
4. The Block Development Officer,
Vembakottai Panchayat Union, Sivakasi Taluk,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus directing the respondents to



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take steps to transfer the fund from the No.2 account to the No.1 account to fulfill the basic needs of the Public in the petitioner's panchayat, based on the petitioner's representation, dated 25.02.2023.

For Petitioner : Mr.B.K.Rajendran
For R1 to R3 : Mr.D.S.Nedunchezian
Government Advocate
For R4 : Mr.K.Balasubramani
Additional Government Pleader

ORDER

The Writ Petition has been filed by the Panchayat President of Kottaipatti Panchayat.

2.It appears that said Panchayat has two separate accounts for maintenance. The amount under the first account is utilized for providing basic amenities to the village people. The source for the first account is the tax collected from public towards property and water. The second account is the amount received from the Finance Commission.



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3.The learned Special Government Pleader, who had taken instruction on behalf of the fourth respondent, forwarded the proceedings of the District Collector, dated 20.10.2022 in ந.க.உ.இ.2/6036/2022, wherein, with respect to the village Panchayat a sum of Rs.1 lakh had been transferred from the second account to the first account. There were conditions for such transaction that the transfer would be done only once and the amount should be utilized and no further transfer would be made.

4.The learned counsel for the petitioner stated that there is a balance of Rs.30 lakhs in the second account and now amounts are required in the first account. He gave a representation in this regard. The petitioner further enclosed a statement showing that an amount was transferred in October 2022.

5.The District Collector is the only Authority to take appropriate action in this regard. Let, the petitioner file a representation enclosing the Statement of account, with expenditure incurred with respect to the amount which was in the first account. Thereafter, the District Collector may examine the same and pass appropriate orders. This Court cannot give any



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such direction.

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6. With the above direction, this Writ Petition stands disposed of.

No costs.

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NCS : Yes/No
Index : Yes / No
Internet: Yes/ No
PNM

To

1. The Principal Secretary,
Tamil Nadu Rural and Panchayatraj Department,
Secretariat, Chennai.
2. The Commissioner,
Tamil Nadu Rural and Panchayatraj Department,
Panagal Maligai, Saidapet,
Chennai.
3. The District Collector,
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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
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