



W.P.(MD).No.8591 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.8591 of 2023

and

W.M.P(MD)Nos.7897 & 7899 of 2023

P.Jeevarani

... Petitioner

Vs.

1. The Assistant Director (Audit),
Office of the Assistant Director (Audit),
Madurai.

2. The Block Development Officer,
(Village Panchayat),
Madurai West Panchayat Union,
Madurai.

3. R.Boominathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorari*, calling for the records relating to the impugned show cause notice of the 2nd respondent in Na.Ka.No. 222/2021/A1, dated 26.10.2021 and consequential impugned order of the 1st respondent in Na.Ka.No.13/2023/A7, dated 10.03.2023, quash the same.

For Petitioner : Mr.K.Appadurai

For R-1 : Mr.G.Suriyananth
Additional Government Pleader

For R-2 : Mr.S.R.A.Ramachandran,
Additional Government Pleader



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ORDER

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By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition is filed for ***Writ of Certiorari***, to quash the impugned show cause notice, dated 26.10.2021 and consequential impugned order of the 1st respondent, dated 10.03.2023.

3. The contention of the petitioner is that through the impugned order, the respondents are intending to recover the amount. The specific contention of the petitioner is the said order was passed without granting any opportunity to the petitioner to contest the case.

4. In view of the aforesaid submission, this Court is inclined to quash the impugned order.

5. Accordingly, the respondents are directed to issue notice to the petitioner and grant sufficient opportunity including personal hearing as well. After considering the explanation of the petitioner and thereafter shall pass order and the said exercise shall be completed within a period of six months, from the date of receipt of a copy of the order.



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6. With the above directions, this Writ Petition is allowed.

No Costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
ksa

17.04.2023

To

1. The Assistant Director (Audit),
Office of the Assistant Director (Audit),
Madurai.
2. The Block Development Officer,
(Village Panchayat),
Madurai West Panchayat Union,
Madurai.



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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No.8591 of 2023**

17.04.2023