



W.P.(MD)No.18943 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.18943 of 2023

A.Sathyavanimuthu

... Petitioner

versus

1. The Secretary to the Government,
Rural Development and Panchayat's
Department,
St. George Fort,
Chennai – 9.
2. The Director Rural and Development
Panchayath's Department,
Panagal Park,
Chennai.
3. The District Collector/Inspector of
Panchayat,
O/o. The District Collector,
Sivagangai.
4. The Assistant Director of Panchayat,
O/o. The Assistant Director of Panchayat,
Sivagangai.



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5. The Block Development Officer,
Village Panchayat,
Union Office,
Manamadurai,
Sivagangai District.

6. The Village Panchayat President,
Kalkurichi Village Panchayat,
Manamadurai Union,
Sivagangai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 3rd respondent to conduct the enquiry proceedings pending against the 6th respondent based upon the petitioner's representation dated 08.05.2023 within the stipulated period fixed by this Court and consequently, direct the 3rd respondent to take necessary action against the 6th respondent for misappropriation of funds which have been allotted for Kalkurichi Village Panchayat, Manamadurai Union, Sivagangai District.

For Petitioner : Mr.R.Senthilkumar

For R1 to R4 : Mr.M.Sarangan,
Additional Government Pleader

For R5 and R6 : Mr.B.Thambidurai,
Government Advocate



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ORDER

WEB COPY The petitioner is a Ward Member of Kalkurichi Panchayat, Manamadurai, Sivagangai District. She along with other Ward Members has preferred a complaint, as against the 6th respondent Panchayat President that he is indulging in misappropriation of Panchayat Funds, to the 3rd respondent/the District Collector, Sivagangai, on 08.05.2023 in the Grievance Day. Since the said complaint has not been considered sofar, she has filed this writ petition.

2. Mr.B.Thambidurai, learned Government Advocate, takes notice for the 5th and 6th respondents and submits that enquiry has already been contemplated by the 3rd respondent and a show cause notice was also issued to the 6th respondent.

3. Mr.M.Sarangan, learned Additional Government Pleader, who takes notice for the respondents 1 to 4, submits that apart from the petitioner, one Mahalakshmi and few others have also lodged a



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complaint as against the 6th respondent. He further submits that the petitioner's complaint was forwarded to the 5th respondent/the Block Development Officer, Manamadurai, for getting a preliminary report and based on the preliminary report submitted by the 5th respondent/the Block Development Officer, Manamadurai, the 3rd respondent/the District Collector, Sivagangai, has initiated further course of action and issued a show cause notice to the 6th respondent, in Na.Ka.No.A7/2347/2023 dated 31.07.2023, which was served on 03.08.2023.

4. Recording the submission that the 3rd respondent/the District Collector, Sivagangai, has already acted upon the petitioner's complaint and verified the allegations through the 5th respondent/the Block Development Officer, Manamadurai and also issued a show cause notice to the 6th respondent on 31.07.2023, this writ petition is closed with a direction to the 3rd respondent/District Collector, Sivagangai, to conclude the proceedings, after providing an opportunity of hearing to



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the petitioner and other aggrieved parties, as expeditiously as possible, preferably, within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

04.08.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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3. The District Collector/Inspector of Panchayat,
O/o. The District Collector,
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B.PUGALENDHI, J.



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5. The Block Development Officer,
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