



WEB COPY



W.P. No. 128 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 128 of 2024

J.Jayakumar

... Petitioner

-VS-

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Block Development Officer,
Kumaratchi Panchayat Union,
Kumaratchi,
Cuddalore District.
3. The Superintendent of Police,
Cuddalore District,
Cuddalore.
4. Suganthi
5. Saravanan
6. Mayavan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First to Third Respondents to conduct a detail enquiry against the Fourth to Sixth Respondents and take appropriate action and pass suitable orders by disposing the Petitioner's written representation dated 27.11.2023.

For Petitioner : Mr. C.Prakasam



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For Respondents : Mr. B.Vijay,
Additional Government Pleader (for R1)

Mr. Edwin Prabhakar
Additional Government Pleader (for R2)

Mr. J.Subbiah,
Government Advocate (Crl. Side)
(for R3)

Mr. G.Pugalendhi (for R4 to R6)

ORDER

Heard Mr. C.Prakasam, Learned Counsel for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader appearing for the First Respondent, Mr. Edwin Prabhakar, Learned Additional Government Pleader appearing for the Second Respondent, Mr. J.Subbiah, Learned Government Advocate (Criminal Side) appearing for the Third Respondent and Mr. G.Pugalendhi, Learned Counsel appearing for the Fourth to Sixth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the First to Third Respondents to take action on the representation dated 27.11.2023 made by the Petitioner to conduct detailed enquiry against the Fourth to Sixth Respondents



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and pass suitable orders thereon.

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3. It has been explained by the Inspector of Police, Kumaratchi Police Station, Cuddalore District in his memo dated 19.01.2024 filed on behalf of the Third Respondent as follows:-

“2. It is submitted that the petitioner namely Jauakumar, filed this present writ petitioner before the Hon'ble High Court, Madras in W.P. No. 128 of 2024, writ of mandamus or any other appropriate Writ, order or direction in the nature of Writ of Mandamus directing the respondents 1 to 3 to conduct a detail enquiry against the respondents 4 to 6 and take appropriate action and pass suitable orders by disposing the petitioner's written representation dated 27.11.2023.

3. It is submitted that the case of the prosecution is that on 27.11.2023, the defacto complainant gave a complaint to the CM Cell stating that he was a former president of the Athipattu Village Panchayat and he is having bank account in Indian Bank Branch at Chidambaram in Account No. 6214178024 and also having another account for Panchayat



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Board in Account No. 6360262791. After his relieving, the above said Respondent (4) / Suganthi has elected as a president of the said village. The Respondent (5) / Saravana is the husband of Suganthi and Respondent (6) / Mayavan is the Vice president. The defacto complaint alleged that the above three members cheated large amount of money which was used for Panchayat Purpose. Like 100 days works scheme and sanctioned of huge amount for construction of Athipattu village Panchayat Building and also they cut the trees which is situated in the building and sold out more than Rs. 5 lakhs. The defacto complainant alleged that respondents 4 to 6 misused his account and credit the government fund Rs.1,00,000/- in his account and withdraw the huge amount from his account with misconduct intension. Hence, the complaint.

4. It is submitted that the said current paper received by me from the 3rd Respondent/Superintendent of Police, Cuddalore District and I took up for enquiry.



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5. *I submit that based on the above complaint, a CSRNo.06/2023 dated 03.01.2024 at 17.30 hrs was issued to the petitioner by the Special Sub-Inspector of Police.*

6. *It is submitted that the after completing the enquiry, in which reveals that the defacto complaint approached the bank manager and verified the account details. After getting information from the bank He realized that he used his Bank Account for Panchayat Board account transaction. Mistakenly the amount transferred for his Account. Hence he return to the amount to Panchayath Board. Further he requested to withdrawn the complaint in CSRNo.06/2023.”*

In view of the same, nothing remains for further consideration in the Writ Petition, but if the Petitioner still has any grievance to be redressed in the matter, he is not precluded from working out his rights before the proper forum in the manner recognized by law.



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In fine, the Writ Petition is disposed with the aforesaid observations. No costs.

19.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 19.03.2024.

pal/Gsa

To

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Block Development Officer,
Kumaratchi Panchayat Union,
Kumaratchi,
Cuddalore District.
3. The Superintendent of Police,
Cuddalore District,
Cuddalore.



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P.D. AUDIKESAVALU, J.

pal/Gsa

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