



WEB COPY

W.P.No.7729 of 2024
and W.M.P.No.8640 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.7729 of 2024
and W.M.P.No.8640 of 2024

- 1.S.Munusamy
- 2.V.Vijayabharathi
- 3.S.Kanchana
- 4.B.Radha
- 5.T.Ajantha

...

Petitioners

versus

- 1.The District Collector,
O/o.The District Collector Office,
Thiruvallur District - 602 001.
- 2.The Asst. Director (Panchayat),
O/o.District Rural Development Agency,
Thiruvallur District - 602 001.
- 3.The Asst. Director (Audit),
O/o.District Rural Development Agency,
Thiruvallur District - 602 001.
- 4.The Block Development Officer (Village Panchayat),
Thiruvalangadu Union Panchayat,
Thiruvallur District - 631 210.
- 5.M.Saranya,
W/o.Murali,



The President,
Arunkulam Village Panchayat,
Tiruttani Post,
Thiruvallur District - 631 201. ...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to consider the representation dated 31.07.2023 for further proceedings as per Section 205 of Panchayat Act, 1994.

For Petitioners : Mr.Christopher Kishore Vincent
For Respondent Nos.1 to 3 : Mr.M.Shahjahan
Special Government Pleader
For Respondent No.4 : Mr.K.Karthikeyan
Government Advocate

ORDER

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider the representation dated 31.07.2023 for further proceedings as per Section 205 of Panchayat Act, 1994.

2. The case of the petitioners is that they are all Panchayat Ward Members and the fifth respondent, namely Saranya, is the Panchayat President of Arunkulam Village Panchayat. Instead of spending money for



the welfare of the people, it was misappropriated by the fifth respondent.

The fifth respondent's husband who is in-charge of the Panchayat President Post and he is signing all the official documents with the proxy signature of the Panchayat President and Vice President and which is unlawful and amounts to criminal conspiracy. The fifth respondent and her husband have misappropriated Government funds.

3. The Government has allotted funds for a sum of Rs.45,00,000/- which was credited by the Slum Clearance Board for the welfare of the Panchayat. But the same was not spent on the development of the Panchayat infrastructure. The fifth respondent and her husband informed Grama Sabha that the fund is very much available, it is not used for any development, and the money is ideal.

4. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the first respondent has conducted the enquiry on 12.05.2023 and 06.10.2023 and found that out of the misappropriated amount of Rs.45,00,000/-, Rs.43,79,844/- has been spent for drinking water and maintenance purposes in the years 2021-2022 and



2022-2023. The first respondent has issued a letter dated 05.04.2024 stating that the first petitioner / S.Munusamy is one of the person involved in the said scam and he has to give an explanation within 15 days from the date of notice, i.e. on 05.04.2024 and proceed further in accordance with law. He further submitted that, as per the said Act, the Assistant Director (Panchayat) / second respondent, will take appropriate action against the first petitioner.

5. Recording the submissions made by the learned Special Government Pleader appearing for the respondents 1 to 3, the second respondent is directed to take appropriate action against the first petitioner, on or before 31st August, 2024. This Writ Petition is disposed accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

10.04.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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Thiruvallur District - 602 001.
- 3.The Asst. Director (Audit),
O/o.District Rural Development Agency,
Thiruvallur District - 602 001.
- 4.The Block Development Officer (Village Panchayat),
Thiruvalangadu Union Panchayat,
Thiruvallur District - 631 210.

W.P.No.7729 of 2018
and W.M.P.No.8640 of 2018





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V.BHAVANI SUBBAROYAN, J.

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