



W.P. No. 6967 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

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

W.P. No. 6967 of 2024

K.Annamalai

... Petitioner

-VS-

1. The District Collector
Office of the District Collector
Kallakurichi District.
2. The Additional District (Project and Planning)
Rural Development Office
District Collectorate
Kallakurichi District.
3. The Assistant Director (Panchayat)
Office of the District Collector
Kallakurichi.
4. The Assistant Director (Audit)
Office of the District Collector
Kallakurichi District.
5. The Tahsildar
Office of the Tahsildar
Ulundurpet, Kallakurichi Taluk.
6. The Block Development Officer
Office of the Block Development Officer
Thirunallaur Block
Kallakurichi District.



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7. The President
Chengurichi Panchayat
Ulundurpet Taluk
Kallakurichi District.

8. Uma Maheshwaran

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to hold an enquiry and to take action on the Eighth Respondent in connection with the misappropriation of Chengurichi Panchayat Funds, within a time frame fixed by this Court.

For Petitioner : Mr. S.Kingston Jerold

For Respondents : Mr. V.Ravi, SGP (RR1 to 5)

Mr. M.Muthusamy (RR6 & 7)

ORDER

Heard Mr. S.Kingston Jerold, Learned Counsel for the Petitioner, Mr. V.Ravi, Learned Special Government Pleader, who takes notice for the First to Fifth Respondents, and Mr. M.Muthusamy, Learned Counsel, who takes notice for the Sixth and Seventh Respondents, and perused the materials placed on record, apart from the pleadings of the parties.



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2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Eighth Respondent, notice to him is dispensed with.

3. It is the case of the Petitioner, who is the Vice President of Chengurichi Panchayat, that various irregularities causing financial misappropriation of funds have been committed by the Seventh and Eighth Respondents and the representation dated 08.03.2024 made by him did not evoke any response, which has necessitated the filing of this Writ Petition.

4. Learned Special Government Pleader appearing for the First to Fifth Respondents, on instructions states that the Eighth Respondent, who was functioning as Secretary at Chengurichi Panchayat has been transferred to Pandoor Panchayat, apart from action taken to recover the sum of Rs. 1,18,800/- from him, by separate Proceedings in Na.Ka. No: Aa2/143/2023 dated 15.03.2024 passed by the Sixth Respondent.

5. However, having regard to the fact that various other allegations have also been made by the Petitioner in the representation dated 08.03.2024, this



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Court without expressing any view on the merits of the controversy, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 08.03.2024 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for such relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner and other concerned persons requiring the same to be furnished within a time frame of not less than 10 working days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, full opportunity of personal hearing to the Petitioner and all other persons concerned shall be afforded to explain their position in the enquiry conducted in that regard; and
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment, and report of such compliance shall be filed by 30.09.2024 before the Registrar (Judicial) of this Court.



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WEB COPY In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

22.03.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 05.06.2024.

Maya

To

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7. The President
Chengurichi Panchayat
Ulundurpet Taluk
Kallakurichi District.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600104.
2. K. Annamalai,
S/o. Kaliyaperumal,
Vice President,
Chengurichi Panchayat,
Nehru Street,
Chengurichi,
Ulundurpettai Circle,
Kallakurichi District.



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P.D. AUDIKESAVALU, J.

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