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W.P.No.22049 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.22049 of 2024

and

W.M.P.No.24029

Thangamani

...Petitioner

Vs

1. District Collector,
Cuddalore District,
Cuddalore.
2. Assistant Director (Panchayat)
Panchayat Union Office,
Virudhachalam,
Cuddalore District.
3. Block Development Officer,
Mangalaur Panchayat Union,
Veppur Taluk, Cuddalore District.
4. Inspector of Police,
Ramanatham Police Station,
Cuddalore District.
5. President
Korakkavadi Village Panchayat
Mangalur Panchayath Union,
veppur Taluk,Cuddalore District.

..Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 24.07.2024 in accordance with law and pass orders.

For Petitioner : Mr.M. Velmurugan

For Respondents 1 and 2 : Mr. N. Naveen Kumar
Government Advocate

For Respondent -4 : Dr.C.E. Pratap, GA(Crl Side)

For Respondents 3 and 5 : Mr.E. Vijay Anand
Additional Government Pleader

ORDER

The petitioner has filed this writ petition directing the first respondent to consider the representation of the petitioner dated 24.07.2024 in accordance with law and pass orders.

2. Mr.N. Naveen Kumar, Government Advocate takes notice for the first and second respondents. Mr.E. Vijay Anand Additional Government Pleader takes notice for the third and fifth respondents. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is a Vice-President of the Korakkavadi Village Panchayat and the 5th respondent is a President of the Korakkavadi Village. The sum and substance of the case is that the 5th respondent/President has forged the signature of the



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petitioner and withdrawn a sum of Rs.2,70,950/- and caused huge loss to the Government. Hence, the petitioner has given a complaint before the Judicial Magistrate, Thittagudi in CrI.M.P.No.2266 of 2022 to direct the Investigating Officer, and the same was dismissed. Hence, the petitioner filed a CrI.R.C.No.1417 of 2022 before this Court and the same was disposed with a direction to send the signature to the Forensic Lab and based on the report the respondent police is directed to register the case. Subsequently the signature was sent to the Forensic Lab and report was also obtained, in the said report it was stated that the 5th respondent has forged the signature and charges was framed and the 5th respondent also remanded to judicial custody on 05.07.2024. The grievance of the petitioner is that inspite of the criminal action taken against the 5th respondent he was not disqualified from the said post, due to which the petitioner gave a representation to the first respondent on 24.07.2024 regarding the said issue. However, no action was not taken till date. Hence, this petition.

4 The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the first respondent to consider the petitioner's representation dated 24.07.2024 and pass orders.



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5. The learned Additional Government Pleader appearing for the first respondent submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 24.07.2024 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs. Consequently the connected miscellaneous petition is closed.

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Index: Yes/No

Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

smn

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