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W.P.No.31043 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.31043 of 2024

Ganesan

... Petitioner

-Vs-

1.The District Collector,
Dharmapuri District, Dharmapuri.

2.The Assistant Director of Panchayat,
Dharmapuri.

3.The Block Development Officer,
Morappur Union,
Morappur, Dharmapuri District.

4.Masilamani,
Samandahalli Panchayat President,
Elavadai Post, Harur Taluk,
Dharmapuri District-635 305.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the 1st respondent to conduct an enquiry u/s 205 of Tamil Nadu Panchayats Act, 1994 against the 4th respondent on the following complaint:

- 1) misappropriation of public money,
- 2) not depositing the payment of professional tax in the bank account of the panchayat right from 2020,



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3) awarded tender work to unfit person without calling for tender as per the provisions of Tamil Nadu Transparency in Tenders Act,

4) payment of salary for the past 5 years under Mahatma Gandhi 100 days Rural Employment Scheme to the mother of the 4th respondent without engaging any work

based on the representations made by the petitioner dated 09.10.2023 and 19.09.2024 and the enquiry proceedings in Na.Ka.No.1439/2021/A2 dated 20.10.2023 on the file of the 2nd respondent.

For Petitioner	: Mr.P.Suresh Kumar
For R1 & R2	: Mr.C.Kathiravan Special Government Pleader
For R3	: Mr.C.Selvaraj Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction, directing the first respondent to consider the representation submitted by the petitioner dated 09.10.2023 and 19.09.2024 seeking to conduct an enquiry under Section 205 of Tamil Nadu Panchayats Act, 1994 against the fourth respondent.

2. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 & 2, the learned Additional Government Pleader appearing for the 3rd



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respondent and perused the materials available on record.

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3. Without expressing any opinion on merits of the writ petition, the first respondent is directed to issue notice to the petitioner as well as the fourth respondent on the enquiry report submitted by the second respondent on the complaint lodged by the petitioner and dispose of the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

4. With the above direction, this writ petition stands disposed of. No costs.

25.10.2024

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

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To

1.The District Collector
Dharmapuri District, Dharmapuri.

2.The Assistant Director of Panchayat,
Dharmapuri.

3.The Block Development Officer,
Morappur Union, Morappur, Dharmapuri District.



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G.K.ILANTHIRAIYAN, J.

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