



W.P(MD)No.22002 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.22002 of 2023
and W.M.P(MD)No.18344 of 2023

M.Karthik Pandi

...Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By its Secretary to Government,
Rural Development and Panchayat Raj Department,
St.George Fort,
Chennai.

2.The Director of Rural Development and Panchayat Raj
O/o the Director of Rural Development and Panchayat Raj
Panagal Maligai
Saidapet
Chennai – 600 015.

3.The District Collector,
Madurai District,
Madurai

4.The Block Development Officer,
O/o Block Development Office,
Madurai West,
Madurai District.



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5.The President,
Petchikulam Panchayat,
Madurai

6.V.P.Rajalakshmi

7.N.Vasu @ Periyannan

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus to direct the 3rd respondent to forbear the 7th respondent from in any way functioning in the Petchikulam Panchayat, Madurai West Panchayat Union, Madurai District in the place of the 5th respondent and consequently to take appropriate action against the 7th respondent for having interfered with the day to day functioning of the Petchikulam Panchayat, Madurai West Panchayat Union, Madurai District within the period that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran

For R1 to R3 : Mr.P.T.Thiraviyam
Government Advocate

For R4 & R5 : Mr.Saravanan
Government Advocate

For R6 & R7 : Mr.Arun Swaminathan



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ORDER

This Writ Petition is filed for issuance of Writ of Mandamus seeking a direction to the 3rd respondent to forbear the 7th respondent from in any way functioning in the Petchikulam Panchayat, Madurai West Panchayat Union, Madurai District in the place of the 5th respondent and consequently to take appropriate action against the 7th respondent within the period that may be stipulated by this Court.

2. The case of the petitioner is that though the 6th respondent is elected as the President of Petchikulam Panchayat, her husband 7th respondent is functioning as the President of the said Panchayat. Therefore, he has filed a representation before the concerned authorities for taking necessary action and since the authorities have failed to take action, he has filed the present Writ Petition.



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3. The learned counsel appearing for the respondents 6 and 7 submits that the petitioner, as a Vice President, has misappropriated the funds and necessary action has been taken against him and therefore, to take vengeance, the petitioner is making false allegation against the 6th respondent.

5. This Court heard the rival submissions and carefully perused the materials available on record.

6. The petitioner is elected as the Vice President and he is making serious allegations against the 7th respondent, who is in no way connected with the affairs of Petchikulam Panchayat, he is the husband of the 6th respondent, the President.

7. Considering the facts and circumstances of the case, this Court is inclined to issue a direction to the 3rd respondent to consider the representation of the petitioner and to conduct an enquiry and



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after completion of enquiry, take appropriate action in accordance with law. The 3rd respondent shall also find out as to whether there is any misappropriation as alleged by the 6th respondent against the petitioner and if so to take appropriate action.

8. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

07.03.2024

Index : Yes / No
NCC : Yes / No
CM



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B.PUGALENDHI, J.

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