



*W.P.(MD)No.10097 of 2024*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : **17.12.2024**

PRONOUNCED ON : **12.02.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.10097 of 2024

and

W.M.P.(MD)No.9118 of 2024

R.Karuppaiah

... Petitioner

Vs.

1. The District Collector,  
Office of the District Collector,  
Sivagangai District.
2. The Assistant Project Officer,  
District Rural and Development,  
Sivagangai District,  
Sivagangai.
3. The Block Development Officer,  
Office of the Block Development Officer,  
Devakottai,  
Sivagangai District.
4. The President,  
Kandadevi Village Panchayat,  
Kandadevi,  
Sivagangai District.

... Respondents



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**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to remove the 4<sup>th</sup> respondent / Village Panchayat President in accordance with the Section 205 of Panchayat Act based on the 2<sup>nd</sup> respondent's enquiry report dated 19.06.2023.

For Petitioner : Mr.K.P.S.Palanivelrajan  
for Mr.S.Paul Murugesh  
For Respondents : Mr.D.S.Neduncheliyan (R1 & R2)  
Government Advocate  
Mr.K.P.Narayanakumar (R4)

### **ORDER**

This writ petition has been filed seeking for a direction to the first respondent to remove the 4<sup>th</sup> respondent / Village Panchayat President in accordance with the Section 205 of Tamilnadu Panchayats Act, 1994, based on the second respondent's enquiry report dated 19.06.2023.

2. Heard the learned counsel on either side and perused the materials placed before this Court.



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3. The learned senior counsel appearing for the petitioner submitted that the fourth respondent has indulged in huge irregularities in implementation of Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA) and he has gone to the extent of appointing his own family members, which is not permissible under the aforesaid scheme. In this regard, several complaints were sent to the official respondents and the Chief Engineer of Rural Development and Panchayat Raj Department, by his letter dated 15.12.2022 has submitted a report to the Chief Secretary of Rural Development and Panchayat Raj Department, Chennai. Even thereafter, the first respondent has not taken any steps to remove the fourth respondent in terms of the Tamil Nadu Panchayats Act and hence, this writ petition came to be filed.

4. The learned counsel appearing for the fourth respondent drew my attention to the report of the second respondent, wherein the second respondent has concluded that only the Secretary to the Panchayat concerned is responsible for allotment of work and disbursement of funds under the aforesaid scheme and in view of the same, it has been recommended to take appropriate disciplinary action against the Panchayat Secretary. Based on the said report dated 19.06.2023, the Chief Secretary of Rural Development and Panchayat Raj Department has communicated to the first respondent to initiate disciplinary



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action as against the Panchayat Secretary and to submit a report in that regard to the Government.

5. The learned Government Advocate appearing for the official respondents on instructions submitted that pursuant to the instructions of the Chief Secretary of Rural Development and Panchayat Raj Department, dated 06.02.2023, disciplinary action has already been initiated as against the Panchayat Secretary to Kandadevi Village Panchayat framing three charges as against him on 10.04.2023 and the same is pending.

6. Recording the same, this Court do not find any merit on the adverse claim seeking a direction to invoke the extraordinary discretionary powers of this Court to direct the first respondent to remove the fourth respondent, on the basis of the second respondent's enquiry report dated 19.06.2023 and this writ petition fails and the same is dismissed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**.2025**

NCC : Yes / No  
Index : Yes / No



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**TO:-**

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Sivagangai District,  
Sivagangai.
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Office of the Block Development Officer,  
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**L.VICTORIA GOWRI, J.**

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Pre-delivery order made in  
W.P.(MD)No.10097 of 2024

Dated  
.2025