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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2026

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**  
AND  
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.P.(MD)No.18691 of 2019

G.Vanimuthan

... Petitioner

Vs.

1.The District Collector  
Ramanathapuram District  
Ramanathapuram

2.The PA to District Collector  
Ramanathapuram District  
Ramanathapuram

3.The Project Director  
District Rural Development  
Ramanathapuram District

4.The Block Development Officer (Village Panchayat)  
Paramakudi Panchayat Union  
Ramanathapuram District

5.The Special Officer/Block Development Officer  
Vilathur  
Paramakudi Panchayat Union  
Ramanathapuram



6.B.Meenammal Bose

7.Kamala

8.Mrs.Sasikala

9.Inspector of Police

Anti-Corruption and Vigilance Dept.

Ramanathapuram

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of impugned order passed by 2nd respondent in Na.Ka.M. 3/24925/2018 dated 10.07.2019 and quash the same and consequently direct the respondents 1 and 9 to take action against the respondents 6 and 7 for the illegalities committed by them and misappropriation of public fund and as well as the illegal appointment of the 7<sup>th</sup> respondent as Panchayat Secretary made by her own father being the then President of the Panchayat within the time fixed by this Court.

For Petitioner : Mr.K.K.Udhayakumar,  
for M/s.H.Arumugam

For R1 to R3 : Mr.S.P.Maharajan  
Special Government Pleader

For R4 : Mr.A.Thiyagarajan

For R7 : M/s.T.Kalaiselvi

For R9 : Mr.K.Sanjai Gandhi,  
Government Advocate

For R5, R6 & R8 : No Appearance



## ORDER

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Present writ petition has been filed as Public Interest Litigation in the nature of writ of certiorarified mandamus calling for the impugned order passed by the second respondent /PA to District Collector, Ramanathapuram District dated 10.07.2019 and quash the same and consequently direct the first respondent / District Collector, Ramanathapuram District and ninth respondent / Inspector of Police, Anti-Corruption and Vigilance Department, Ramanathapuram to take action against the sixth respondent/ B.Meenammal Bose and seventh respondent / Kamala for the illegalities committed by them and misappropriation of public fund as well as illegal appointment of the seventh respondent as Panchayat Secretary.

2.According to the writ petitioner, the sixth respondent / B.Meenammal Bose is the former Panchayat President of Vilathur village and the seventh respondent is her daughter. The husband



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of the sixth respondent and the father of the seventh respondent namely late Mr. Bose was also former Panchayat Secretary of Vilathur Panchayat. During the tenure of the seventh respondent as Panchayat Secretary, he was appointed his own daughter, namely, seventh respondent, as Panchayat Clerk in violation to the Rules and without any authority of law. The seventh respondent though appointed as Panchayat Secretary in effect she ruled the Panchayat as President in the place of her father. Even after tenure of her father, her mother/6<sup>th</sup> respondent was elected as President and thus illegality of the seventh respondent continued. They have also misappropriated huge amount by creating records as if a metal road was laid in Puliyooran Kovil Road without doing any work and the same was exposed by the writ petitioner and other villagers. As the writ petitioner exposed all the illegalities of the Panchayat, the respondents 6 & 7 have not issued water connection to the petitioner's house and in this regard, he has filed a writ petition in WP.(MD)No.5343 of 2015 and the same was disposed of by an order dated 16.06.2015. In pursuance to the



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aforesaid order, the writ petitioner got water service connection.

The petitioner has also filed a suit in O.S.No.27 of 2018 on the file of the District Munsif Court, Paramakudi, representing the villagers for mandatory injunction against the Panchayat and officers to remove garbage and provide drinking water regularly and the same is pending. The family of the respondents 6 & 7 had only the residential house at the time when he was elected as President but, now they have owned 3 houses and also owned about 20 acres of agricultural lands and two tractors and many housing plots. Hence, the writ petition.

3.The learned counsel appearing for the petitioner would submit that with regard to the illegalities committed by the respondents 6 & 7, no action was taken by the authorities. Hence, he constrained to file a writ petition before this Court in WP. (MD)No.3896 of 2019 and in pursuance of order of this Court dated 24.01.2019, an enquiry came to be conducted and thereafter, the second respondent issued a memorandum dated 10.07.2019



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and the allegations levelled as against them came to be closed. The order impugned in this writ petition is un-sustainable in law. The first respondent/District Collector and third respondent / Project Director, District Rural Development have failed to see that the respondents 6 & 7 created forged records. The second respondent has not even furnished the enquiry report submitted by the eighth respondent/Zonal Officer, Paramakudi Panchayat Union, Ramanathapuram, which clearly confirm the collusion between officials and respondents 6 & 7.

4.The learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the complaint given by the writ petitioner came to be enquired in pursuance of the order of this Court in WP.(MD)No.3896 of 2019 and after due enquiry, it was found that the allegations levelled as against the respondents 6 & 7 are not supported by any materials and therefore, the second respondent has issued a memorandum dated 10.07.2019 and the same was communicated to the petitioner.



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5.The learned counsel appearing for the seventh respondent would submit that due to personal enmity, the present writ petition came to be filed as a Public Interest Litigation and the petition itself is not maintainable. The writ petitioner has chosen to file one after another litigation as against the respondents 6 & 7.

6.We have paid our anxious consideration to the submissions made and also perused the materials placed on record.

7.It is stated in the affidavit filed by the petitioner that he had filed a writ petition in WP.(MD)No.5343 of 2015 seeking a direction to issue water service connection as against the respondents 6 & 7. This Court vide order dated 16.06.2015, directed the writ petitioner herein to produce all the documents for consideration. In pursuance to the aforesaid order of this Court, the petitioner got water service connection. It is also stated



that the petitioner has filed a suit in O.S.No.27 of 2018 on the file of the District Munsif Court, Paramakudi, representing the villagers for mandatory injunction against the Panchayat and officers to remove garbage and provide drinking water regularly and the same is pending adjudication. It is also stated that in an earlier occasion, he has filed a writ petition as a Public Interest Litigation in WP.(MD)No.3896 of 2019 seeking a direction to the first respondent to consider the representation submitted by the petitioner. This Court vide order dated 21.12.2019 directed the first respondent/District Collector to consider the representation submitted by the petitioner on merits and in accordance with law. In pursuance to the aforesaid direction issued by this Court, The District Collector, Ramanathapuram has appointed the third respondent/Project Director as Enquiry Officer vide proceedings dated 03.05.2019. In pursuance thereof, the third respondent herein had submitted the enquiry report dated 01.07.2019. Based on the enquiry report submitted by the third respondent, the second respondent has issued the memorandum dated 10.07.2019



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stating that the allegations levelled as against the respondents 6 & 7 found to be false and not supported by any materials.

8.From the pleadings of the writ petition, it reveals that this writ petition came to be filed in the style of Public Interest Litigation for ventilating the private dispute. In such circumstances, a balance, was therefore, required to be struck. It is to be noted that while dealing with the Public Interest Litigations, a great care and caution is required. When the Court is exercising power under Article 226 of the Constitution of India, can entertain a petition filed by any interested person in the welfare of the people who is in a disadvantaged position and thus, not in a position to knock the doors of the Court. This Court is constitutionally bound to protect the fundamental rights of such disadvantaged people so as to direct the State to fulfil its constitutional promises.



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9. In the instant case on hand, the petitioner has already filed a writ petition to take action as against the private respondents 6 & 7 and has also filed a suit in O.S.No.27 of 2018 on the file of the District Munsif Court, Paramakudi. Therefore, we are of the view that the present writ petition has been filed in the style of Public Interest Litigation only for ventilating the private dispute and the same cannot be entertained. There is no merit in this writ petition and the same is liable to be dismissed. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]  
04.03.2026

Index :Yes/No  
Internet :Yes  
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To

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Ramanathapuram District  
Ramanathapuram

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