



W.P.(MD)No.24891 of 2024

WEB CO BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2026

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THE HONOURABLE MR JUSTICE B.PUGALENDHI

W.P.(MD)No.24891 of 2024

P.Mohamed Sherif,
S/o. Pudur Bava,
D.No.218, Middle Street,
Kazhukerkadai Village,
Thirupuvanam Taluk,
Sivagangai District.

...Petitioner

Vs

1. The Government of Tamilnadu,
Rep. by its Secretary,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai.
2. The Director,
Vigilance and Anti-Corruption,
Chennai.
3. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Sivagangai.



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4. The Assistant Director of Village Panchayat,
Sivagangai District,
Sivagangai.

5. The Inspector,
Vigilance and Anti-Corruption,
Sivagangai.

6. Mrs.Revathi,
The President of Kazhukerkadai Panchayat (In-charge),
Kazhukerkadai Village,
Thirupuvanam Taluk,
Sivagangai District.

...Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the 3rd and 5th respondents herein to take action upon the petitioner's representation dated 01.10.2024 which is still pending before them.

For Petitioner:

Mr.P.Venkatesan
Advocate

For Respondents:

Mr.T.Senthil Kumar,
Additional Public Prosecutor for R2, R3 and R5

Mr.G.V.Vairam Santhosh,
Additional Government Pleader for R1 and R4

Mr.K.K.Mahesh Raja for R6



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ORDER

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The petitioner/a Ward Member of Kazhukerkadai Village has lodged a complaint before the Vigilance and Anti Corruption Department that the Vice President, who is incharge of the President of the/Kazhukerkadai Village has misappropriated a sum of Rs.95,550/-, without executing the allotted work and filed this writ petition that the Vigilance and Anti Corruption Department has not acted upon his complaint.

2.The learned counsel appearing for the petitioner submits that a sum of Rs.95,550/- was allotted for construction of Food grains godown at Kazhukerkadai Village. Though the work was not executed, the amount allotted has been misappropriated by the President of the Village Panchayat. The learned counsel has relied upon the proceedings of the District Collector, Sivagangai in Na.Ka.No.A7/1095/2022, dated 30.04.2024 and submits that the District Collector, after conducting an enquiry has recorded that there was misappropriation, however, no action has been taken by the authorities concerned.



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3.Mr.G.V.Vairam Santhosh, learned Additional Government Pleader appearing for R1 and R4 submits that it is true that a sum of Rs.95,550/- was allotted for construction of food grain godown in the Kazhukerkadai Village on 25.07.2023. The fund was transferred by the Block Development Officer on Aadhar Based Payment System directly to the beneficiaries under Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) on 25.07.2023 to carry out the preliminary works such as cleaning the proposed area and digging of basement. Thereafter, an objection was raised by one Mohammed Sherriff (the petitioner herein) to the District Collector that the proposed place is classified as a road, as per the Revenue records. Thereafter, the Block Development Officer has verified the proposed place on 07.03.2024, confirmed that the proposed place is a road and recommended not to proceed with the construction. In the meantime, on the objections of the said Mohammed Sheriff and since the proposed place is classified as a road, the amount, which was allotted was remitted back to the account of the Block Development Officer on 26.12.2023. The amount transferred in



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favour of the beneficiaries under MGNREGS to carry out the preliminary works has been projected by this petitioner as if the amount has been misappropriated by the Village Panchayat President, without executing the work. The learned Additional Public Prosecutor has pointed out that it is a motivated complaint and it has been lodged only on 01.10.2024, even after the remittance of the amount on 26.12.2023.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.This petitioner, who is a ward member of Kazhukerkadai Village said to have contested as against the sixth respondent herein. The sixth respondent is incharge of the post of President of the said Village. A sum of Rs.95,550/- was allotted for the construction of food grains godown in the Village. In fact, the allotted fund has been transferred directly to the beneficiaries under MGNREGS Scheme and preliminary works such as cleaning and digging of basement have been carried out in the proposed place. Thereafter, an objection was raised by this petitioner that the proposed place for the construction of the godown is classified as a road,



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as per the revenue records. The Block Development Officer has visited the place and confirmed that the proposed place is classified as a road and thereafter recommended not to proceed with the work. The allotted amount has also been remitted back on 26.12.2023. While so, the petitioner has lodged a complaint on 01.10.2024 without even verifying as to whether the allotted amount has been remitted back or not. The petitioner is projecting as if the amount, which has been allotted for construction of food grains godown has been misappropriated by the Village President without executing the work.

6.Since the complaint has been lodged in an irresponsible manner, this writ petition is dismissed. This Court imposes a cost of Rs.20,000/- on the petitioner, out of which, the petitioner has to pay a sum of Rs.10,000/- to the sixth respondent, namely, Mrs.Revathi, the President of Kazhukerkadai Panchayat (In-charge), Kazhukerkadai Village, Thirupuvanam Taluk, Sivagangai and a sum of Rs.10,000/- to fifth respondent / the Inspector, Vigilance and Anti-Corruption, Sivagangai. The amount to be paid by the petitioner shall be utilized for the welfare



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activities of the respective departments.

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To

1. The Secretary,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai.
2. The Director,
Vigilance and Anti-Corruption,
Chennai.
3. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Sivagangai.
4. The Assistant Director of Village Panchayat,
Sivagangai District,
Sivagangai.
5. The Inspector,
Vigilance and Anti-Corruption,
Sivagangai.
6. Mrs.Revathi,
The President of Kazhukerkadai Panchayat (In-charge),
Kazhukerkadai Village,
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Sivagangai District.



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B.PUGALENDHI, J.

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Order made in
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