



W.P.(MD)No.15250 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD)No.15250 of 2023

R.Radha

... Petitioner

Vs.

1.The District Collector cum
Inspector of Panchayat,
Pudukkottai.

2.The Assistant Director (Village Panchayat),
Collectorate,
Pudukkottai.

3.The Block Development Officer,
Village Panchayat Union,
Aranthangi,
Pudukkottai District.

4.The President,
Village Panchayat Union,
Aranthangi,
Pudukkottai District.

5.Vigneswaran

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus directing the first



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respondent to conduct the enquiry against the respondents 4 and 5 by considering the petitioner's representation dated 24.04.2023 as stipulated by the Panchayat Act, 1994.

For Petitioner : Mr.R.Paranjothi

For R1 & R2 : M/s.D.Farjana Ghoushia
Special Government Pleader

For R3 & R4 : Mr.M.Senthil Ayyanar

ORDER

The writ petitioner has a habit of filing writ petitions for the very same relief. The writ petitioner had earlier filed a Writ Petition in W.P(MD)No.13052 of 2022 against the same respondents but also impleading the fifth respondent in her name, Shanthi, and re assigning the present fifth respondent namely Vigneswaran as the sixth respondent. He is said to be the husband of the President of the Panchayat.

2. The relief sought for in the earlier Writ Petition was for a direction to the first respondent therein, the District Collect cum Inspector of Panchayat, Pudukkottai to take action against the fifth respondent, namely,



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the President of Panchayat, Village Panchayat Union, Aranthangi, Pudukkottai District, for the alleged illegal activities for abusing her position. The relief sought for in this Writ Petition is for issuance of Mandamus seeking a direction to the first respondent, the District Collector cum Inspector of Panchayat, Pudukkottai to conduct an enquiry against the respondents 4 and 5, the President of Village Panchayat Union, Aranthangi, Pudukkottai District and her husband by considering a representation dated 24.04.2023 in accordance with the Panchayat Act, 1994.

3. The provision of law under which the action can be taken is 205(1) of Tamil nadu Panchayat Act.

4. The learned single Judge in the earlier occasion had stated as follows:

“2.The petitioner is a ward member of the fourth respondent panchayat. According to her, the panchayat president is indulging in illegal activities and abusing her position. The petitioner has given a complaint in this regard



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before the Inspector of Panchayats. The petitioner wants action to be taken thereon.

3. Section 205(I) of the Tamil Nadu Panchayat Act is as follows:-

(I) The Inspector

(a) of his own motion, or

(b) on a representation in writing signed by not less than two-thirds of the sanctioned strength of the village panchayat containing a statement of charges against the president and presented in person to the Inspector by any two of the members of the village panchayat, is satisfied that the president wilfully omits or refuses to carry out or disobeys any provision of this Act, or any rule, by-law, regulation, or lawful order made or issued under this Act or abuses any power vested in him, the Inspector shall, by notice in writing, require the president to offer within a specified date, his explanation with respect to his acts of omission or commission mentioned in the notice.”

4. Thereafter, the learned single Judge has stated that "the petitioner is not having numbers on her side". This is still the position as on date. The petitioner keeps giving representations. The petitioner keeps filing Writ Petitions and again filing Writ Petitions and they are "disposed of" by this Court.



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5. The present Writ Petition is dealt with differently. It is dismissed.

No costs.

27.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

CM

To,

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2.The Assistant Director (Village Panchayat),
Collectorate,
Pudukkottai.

3.The Block Development Officer,
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4.The President,
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C.V.KARTHIKEYAN, J.

CM

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