

W.P.No.4290 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 09.07.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.4290 of 2025

and WMP.Nos.4795 & 8548 of 2025

S.Deena Dayalan
Vice-Chairman,
Nemili Panchayat Union,
Nemili and Post, Ranipet District.

Petitioner(s)

Vs

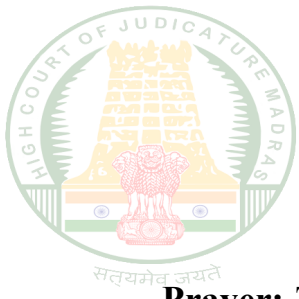
1.The District Collector and
Inspector of Panchayats
Ranipet District, Ranipet.

2.The Commissioner
Nemili Panchayat Union, Nemili and
Post, Ranipet District.

3.The Thasildhar
Nemili Taluk, Ranipet District.

4.N.Dasaprakash
The Commissioner Nemili Panchayat
Union, Nemili and Post,
Ranipet District.

5.Vadivelu
Chairman, Nemili Panchayat Union,
Nemili and Post,
Ranipet District.



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Respondent(s)

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the 1st respondent pertaining to the proceedings in Na.Ka.A1/0192/2025 dated 31.01.2025 and quash the same.

For Petitioner : Mr.S.Kamadevan

For Respondents : Mr.C.Prabakaran for R1 to R3
Government Advocate
Mr.J.Melwin Jabaz for R4
R5-No appearance

ORDER

The petitioner challenges the show cause notice dated 31.01.2025 issued by the Assistant Director of Panchayats, purportedly on behalf of the first respondent, under Section 208 of the Tamil Nadu Panchayats Act, 1994, alleging misconduct and calling upon the petitioner to submit his explanation as to why action should not be initiated under Section 208(1) of the Act.

2. The petitioner contends that the Assistant Director of Panchayats has no statutory authority or competence to issue the impugned show cause notice. It is therefore submitted that the petitioner need not submit a reply to a notice issued by an incompetent authority and that the present writ petition is maintainable.



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3. Learned State Counsel submitted that the impugned show cause notice was issued by the Assistant Director of Panchayats on the instructions of the first respondent. It was further submitted that no prejudice has been caused to the petitioner and that the notice has been issued strictly in accordance with Section 208 of the Tamil Nadu Panchayats Act, 1994.

4. I have heard the learned counsel appearing for the parties.

5. An identical issue came up for consideration before the Division Bench of this Court in W.A.No.2572 of 2024, which was decided on 03.12.2025. The Division Bench held that the State was unable to produce any notification issued by the Government empowering the Assistant Director of Panchayats to discharge the functions of the Inspector under the Act. It was further held that the Assistant Director of Panchayats is not of a rank equivalent to that of the District Collector and, therefore, no such notification could have been issued. The Division Bench also rejected the contention of the State that the defect stood cured merely because the show cause notice had been signed by the District Collector.



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6. In view of the provisions of Section 208 of the Tamil Nadu Panchayats Act, 1994, and the authoritative pronouncement of the Division Bench, the impugned show cause notice issued by the Assistant Director of Panchayats lacks statutory authority and competence. Accordingly, the impugned show cause notice dated 31.01.2025 is set aside, while reserving liberty to the competent authority to issue a fresh show cause notice strictly in accordance with Section 208 of the Act.

7. Accordingly, this Writ Petition is allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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Index : Yes/No
Speaking order : Yes/No
dna



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HEMANT CHANDANGOUDAR.J.,

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