

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7081 of 2015 & MP.No.1 of 2015

V.Deivalingam

..Petitioner

Versus

1. The State of Tamil Nadu
Rep. by its Secretary,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai - 600 009.
 2. The Director of Municipal Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.
 3. The Commissioner,
Salem Corporation, Salem.
 4. The Mayor,
Salem Corporation, Salem.
- .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the respondents to consider the petitioner's representation dated 28.02.2015 and pass order on merits after giving an opportunity of hearing to the petitioner within a stipulated period of time as fixed by this Court, further directing the respondents not to interfere with the petitioner's participation in the meeting to be held in the Salem Corporation till the disposal of the petitioner's representation dated 28.02.2015.

For Petitioner : Mr.R.Ezhilarasan

For Respondents: Mr.V.Jayaprakash Narayanan,
Spl.GP for R1 and R2
Mr.S.Diwakar, for R3
Mr.K.Bhuvaneswar, for R4

ORDER

Heard Mr.R.Ezhilarasan, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader accepting notice for the respondents 1 and 2, Mr.S.Diwakar, learned counsel accepting notice for the 3rd respondent and Mr.K.Bhuvaneshwar, learned counsel accepting notice on behalf of the 4th respondent and with their consent, the writ petition is disposed of at the admission stage itself.

2. The petitioner is the elected Ward Councilor of the 10th Ward of the Salem Corporation and the petitioner now filed this Writ Petition to direct the respondents to consider his representation so as to restrain the respondents from interfering in the petitioner's participation in the Meeting of the Salem Corporation. It is rather unfortunate that an elected Councilor has approached this court by way of this Writ Petition seeking an order to enable him to attend the Council Meeting. Today in the newspapers, a news has been published in respect of another Corporation where the Councilors have got into fist fight within themselves and damaged the properties of the Corporation without any concern for the public who elected them to the said office.

3. In such circumstances, it is for the petitioner to exercise his rights as an elected Ward Councilor in accordance with the provisions of the concerned Statute. No Writ of Mandamus sought for by the writ petitioner could be granted as the relief sought for is thoroughly misconceived.

4. In the result, the Writ Petition fails dismissed. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP/gya

To

1. The Secretary, State of Tamil Nadu
Municipal Administration and Water Supply Department,
Fort St. George, Chennai - 600 009.

2. The Director of Municipal Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

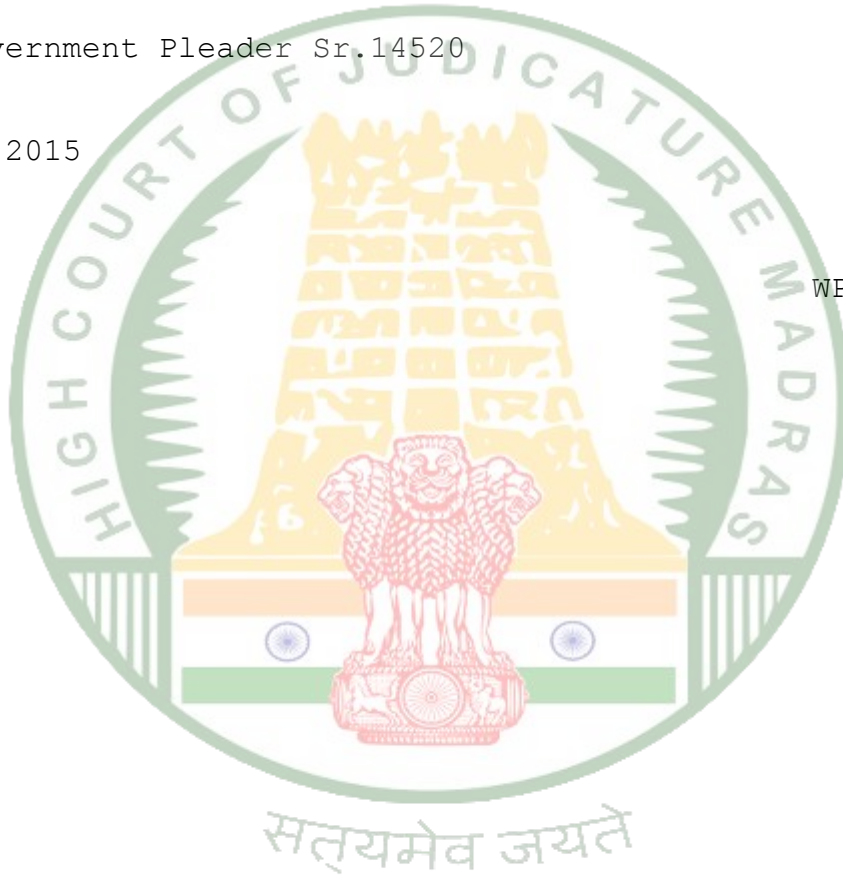
3. The Commissioner,
Salem Corporation, Salem.

4. The Mayor,
Salem Corporation, Salem.

+ 1 cc to Mr.R. Ezhilarasan, Advocate SR.14328

+ 1 cc Government Pleader Sr.14520

KU(CO)
EU 30.03.2015



WP.No.7081 of 2015

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