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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2015

CORAM :

THE HONOURABLE MR. JUSTICE V. RAMASUBRAMANIAN

and

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

Writ Petition (MD) No. 20321 of 2015

and

M.P (MD) Nos. 1 and 2 of 2015

A. Syed Mohamed

... Petitioner

Vs.

1. State represented through

The Secretary,
Urban and Rural Development Department,
Secretariat,
St., George Fort,
Chennai.

2. The Director of Municipal Administration,
O/o. Directorate of Municipal Administration,
Ezhilagam Annex, Chepauk,
Chennai.

3. The District Collector,
Ramanathapuram District,
Collectorate,
Ramanathapuram.

4. The Commissioner,
Keezhakarai Municipality,
Keezhakarai,
Ramanathapuram District.

5. The Chairman,
Keezhakarai Municipality,
Keezhakarai,
Ramanathapuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned resolution no. 658 dated 24.08.2015 on the file of the 3rd respondent passed by the 5th respondent and quash the same consequently further direct to consider the petitioner representation dated 01.09.2015 on the file of the respondents.



For Petitioner
For Respondents

: Mr.S.A.S.Alaudeen
: Mr.C.Selvaraj,
Special Government Pleader.

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ORDER

(Order of the Court was made by **V.RAMASUBRAMANIAN, J.**)

The petitioner has come up with the above writ petition challenging a resolution bearing No.658 passed on 24.08.2015 by the Keezhakarai Municipality.

2.Heard Mr.S.A.S.Alaudeen, learned counsel for the petitioner.

3.By a resolution passed on 24.08.2015, the Keezhakarai Municipality decided to name a particular stretch of a street as Prabaavasi Barathi Samman M.Salahudeen road. It appears that only two ward councilors opposed the resolution. Therefore, by an overwhelming majority the resolution was passed to name the stretch of a particular road as above mentioned.

4.Contending that the person after whose name the street is sought to be named, was not a person who rendered any valuable services to the society and also contending that there was no necessity for naming the particular stretch of road after him, the petitioner as well as two councilors appear to have given representations. Since the representations did not evoke any response, the petitioner has come up with the above writ petition.

5.At the outset, it should be stated that the resolution passed by an overwhelming majority in the municipal council is generally taken to be reflective of the will of the people. People who elected these representatives should take it that the resolutions passed in the panchayat meetings or municipal council meetings are reflective of the public sentiments. If it is not so, people can always defeat those members in the next elections. But such a resolution for naming a stretch of the road after a person cannot be the subject matter of the public interest litigation for the Court to interfere. Hence, the writ petition is dismissed. No costs. Consequently, M.P(MD)Nos.1 and 2 of 2015 are closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/



To

- 1.The Secretary,
Urban and Rural Development Department,
Secretariat,
St., George Fort,
Chennai.
- 2.The Director of Municipal Administration,
O/o.Director of Municipal Administration,
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- 3.The District Collector,
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- 4.The Commissioner,
Keezhakarai Municipality,
Keezhakarai,
Ramanathapuram District.
- 5.The Chairman,
Keezhakarai Municipality,
Keezhakarai,
Ramanathapuram District.

+1cc to Spl.Government Pleader Sr.No.65759
sms
AA/SKS-RR/24.11.2015/3p-7c

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