



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.08.2016
CORAM

THE HONOURABLE MR. JUSTICE T. RAJA
W.P.(MD).Nos.16185 and 16186 of 2016
and
W.M.P. (MD).Nos.11833 to 11835 of 2016

V.Manickam

... Petitioner in both W.Ps.

Vs

1.The District Collector/
Inspector of Panchayat,
Kokkirakulam, Tirunelveli District.

2.The Block Development Officer (Village Panchayat)
Kalakkad, Kalakkad Union, Nanguneri Taluk,
Tirunelveli District. ... Respondents in both W.Ps.

Prayer in W.P. (MD).No.16185/2016:Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari to call for the impugned order dated 09.08.2016 made in A6/3810/2014 of proposing to initiate proceedings under 203 of Tamil Nadu Panchayats Act, 1994 by the 1st Respondent and quash the same as illegal and devoid of merits.

Prayer in W.P. (MD).No.16186/2016:Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorari to call for the impugned order dated 09.08.2016 made in A6/3810/2014 of proposing to initiate proceedings under 205 of Tamil Nadu Panchayats Act, 1994 by the 1st Respondent and quash the same as illegal and devoid of merits.

In both W.Ps:

For petitioner : Mr.S.Palani Velayutham
For Respondents : Mr.M.Rajarajan
G.A for R-1
Mr.Aaiyuram K.Selvakumar
G.A for R-2

COMMON ORDER

The writ petitioner, being an elected President of Devanallur Panchayat, Kalakkad Panchayat Union, Tirunelveli District has been issued with the impugned notice by the District Collector, Tirunelveli, being the Inspector of Panchayat vide notice dated 09.08.2016, wherein, he has been asked to appear at 05.00 p.m in the office of the Collectorate on 19.08.2016. Afraid of appearing before the District Collector, he has come to this Court, challenging the same.



2. This Court is not able to find out any merits in the writ petitions. The petitioner has not explained any reason in the affidavit filed in support of the writ petitions that When the District Collector, Tirunelveli has invited him to take part in the enquiry, why he could not go and take part in the enquiry. The issuance of show-cause notice directing the petitioner to appear before him by the District Collector may be for the reasons that the petitioner is the President of the Village Panchayat and the District Collector may be interested to give some guidelines to the petitioner with regard to village panchayat.

3. However, the Learned Counsel for the Petitioner has requested this Court that the petitioner is now ready to appear before the District Collector and a date may be fixed for that and a direction may be issued to the District Collector, Tirunelveli, to consider the detailed reply, already sent by the petitioner on 19.08.2016, to the show cause notice, in the event of any further clarification required by the District Collector. Since the petitioner has already given a reply dated 19.08.2016 to the show-cause notice dated 09.08.2016, the District Collector, Tirunelveli can consider the same also. Since the petitioner has failed to appear on 26.08.2016 and he is not aware of the future date, the petitioner is directed to appear before the District Collector on 02.09.2016 at 05.00 p.m.

4. With the above directions, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector/
Inspector of Panchayat,
Kokkirakulam, Tirunelveli District.

2. The Block Development Officer (Village Panchayat)
Kalakkad, Kalakkad Union, Nanguneri Taluk,
Tirunelveli District.

+ 1 CC TO MR.S.PALANIVELAYUTHAM, ADVOCATE IN SR No. 48182

VS

TE/SS-3/SAR-III : 30/08/2016 : 2P/4C (IT)