



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :01.09.2016

WEB COPY

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.16504 of 2016

G.Rajendiran

.. Petitioner

Vs.

1.The Secretary to the Government of Tamilnadu,
Rural Development and Panchayat Raj Department,
Fort St.George, Secretariat, Chennai - 600 009.

2.The Director,
Directorate of Rural Development and Panchayat Raj,
Panagal Maligai, Saidapet, Chennai - 600 015.

3.The District Collector,
Trichy District, Trichy.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 19.08.2016 to declare reservation to the scheduled Castes to contest the forthcoming Panchayat Election at Muthampatti Panchayat, Musiri Taluk, Trichy District based on reservation and rotation policy as per Section 11(1) of "The Tamilnadu Panchayats Act, 1994" and Rule 7(1) of "The Tamilnadu Panchayats (Reservation of seats and rotation of reserved seats) Rules 1995", within the stipulated time as fixed by this Court.

For Petitioner : Mr.R.Venkatesan
For Respondents : Mr.R.Anandharaj
Government Advocate

O R D E R

Mr.G.Rajendiran has filed the present Writ Petition for issuance of writ of mandamus directing the respondents to consider the petitioner's representation dated 19.08.2016 to declare reservation to the Scheduled Castes to contest the forthcoming Panchayat Election at Muthampatti Panchayat, Musiri Taluk, Trichy District based on reservation and rotation policy as per Section.11(1) of the Tamilnadu Panchayats Act, 994, and Rule 7(1) of the Tamilnadu Panchayats (Reservation of seats and rotation of



reserved seats) Rules 1995 within the stipulated time as fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The petitioner claims to be the President of Nehru Youth Welfare Association of Muthampatti Panchayat and also belongs to Scheduled Caste Community. Since the population of Scheduled Caste in his village is on larger side, he has given a representation on 19.08.2016 to reserve the seat for Panchayat President in Scheduled Caste to contest the forthcoming Panchayat Election.

4. The petitioner seeks for a declaration to declare Muthampatti Village Panchayat for Scheduled Castes under reservation category but the petitioner has not mentioned what is the total population of his Village and how much population constitutes Scheduled Caste Community. Without giving any such figures or particulars, the petitioner cannot come to this Court seeking a prayer for declaration.

5. This Court has perused the representation of the petitioner and the affidavit filed in support of this petition. What the petitioner is asking for could not be found out clearly from the affidavit.

6. It is seen that the representation was given only on 19.08.2016. Immediately after two weeks, the petitioner has approached this Court. The Chief Election Commissioner should have been given a reasonable time. Moreover, the petitioner has not impleaded the Chief Election Commissioner as a party. Therefore, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To,

1. The Secretary to the Government of Tamilnadu,
Rural Development and Panchayat Raj Department,
Fort St. George, Secretariat, Chennai - 600 009.

2. The Director, Directorate of Rural Development and Panchayat Raj,
Panagal Maligai, Saidapet, Chennai - 600 015.

3. The District Collector, Trichy District, Trichy.
+1 cc to M/S.R.Venkatesan, Advocate in SR.No. 49319
CM

CSL/SS-2/16.09.2016: 2p/5c

W.P(MD) No.16504 of 2016

01.09.2016