



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2016

CORAM:

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THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. [MD].No.19439 of 2016
and
WMP(MD)14087 of 2016

P.Thangavel

.. Petitioner

Vs.

1.Chief Secretary to Government, Tamil Nadu
St. George Fort, Chennai

2. Chief Election Commissioner,
Tamil Nadu
No.206/N, Jawaharlal Road,
Arumbakkam, Jai Nagar, Chennai - 600 106.

3.The District Collector,
District Collector Campus,
Trichy District.

4.The Tahsildar,
Tahsildar Office,
Manapparai, Trichy District

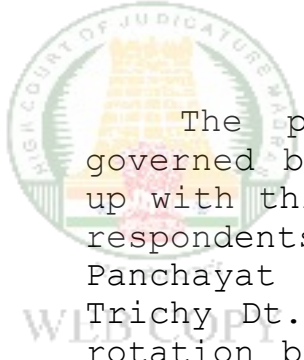
... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the Respondents 1 to 4 to convert the Chithanatham and Samuthiram Village Panchayat Union council membership in ward No.8 Mannaparai Tk Trichy Dt. from reserved constituency to common constituency on rotation basis on the basis of representations dt.21.09.2016 made by the petitioner to the Respondents.

For Petitioner : Mr.C.S.Ravichandran

For respondents 1 to 4 : Mr.R.Karthikeyan

O R D E R



The petitioner, a voter in the Manapparai Municipality, governed by the Tamil Nadu District Municipalities Act, has come up with this Public Interest Litigation seeking a direction to the respondents 1 to 4 to convert the Chithanatham and Samuthiram Panchayat Union council membership in ward No.8th Mannaparai Tk Trichy Dt. from reserved constituency to common constituency on rotation basis on the basis of representations dt.21.09.2016 made by the petitioner to the Respondents.

2.We have heard the learned counsel appearing for the petitioner, the learned Additional Advocate General appearing for the respondents 1 to 4.

3.The grievance of the petitioner is that there was no rotation of reservation of seats. The learned Additional Government Pleader would submit that as per Rule 4-A of the Tamil Nadu Town Panchayats, Third Grade Municipalities, Municipalities and Corporations (Delimitation of Wards or Divisions and Reservation) Rules, 1996, which was introduced by means of amendment in the year 2006 and notified in the Government Gazette on 01.09.2006 and as per the further amendment made and notified in Government Gazette on 12.09.2016, for insertion of the word "or for women" in Rule 4-A, until the Government direct otherwise, the reservation once made shall be continued to be in force.

4.The petitioner has not challenged the validity of the Rule 4-A. Thus, in our considered view, in the light of the Rule 4-A, the relief sought for by the petitioner cannot be granted. This Writ Petition is, therefore, dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar

To

1.Chief Secretary to Government, Tamil Nadu
St. George Fort, Chennai

2.Chief Election Commissioner,
Tamil Nadu
No.206/N, Jawaharlal Road,
Arumbakkam, Jai Nagar, Chennai - 600 106.

3.The District Collector,
District Collector Campus,
Trichy District.



4.The Tahsildar,
Tahsildar Office,
Manapparai, Trichy District

+1 cc to Special Government Pleader SR.No.60572

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Order made in
W.P. [MD].No.19439 of 2016
06.10.2016

CSL/CK/23.11.2016:3P/6C