



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) No.19899 of 2016

K.Ganesan

...Petitioner

-vs-

1.The Principal Secretary,
Department of Rural Development and
Panchayat Raj, Secretariat,
St.Fort George, Chennai - 9.

2.The District Collector,
Collectorate,
Madurai District, Madurai.

3.The Revenue Divisional Officer,
Collectorate, Madurai.

4.The Tahsildar,
Madurai North Taluk,
Collectorate, Madurai.

5.The Block Development Officer,
West Panchayat Union,
Madurai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the Respondents to consider the petitioner's representation dated 08.10.2016 and to direct the Respondents to allot the Kulamangalam Village Panchayat President post for Scheduled Tribes before announcing the Tamil Nadu local body election date comes under the Madurai West Panchayat Union.

For Petitioner : Mr.P.Chinnian

For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

O R D E R

The petitioner has submitted a representation to the respondents with a request to allot the petitioner's village Panchayat for Scheduled Tribe for the post of President. As the same has not been considered, this writ Petition has been filed.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents. By consent the writ petition itself is taken up for final disposal at the admission stage.



3.The petitioner is a resident of Kulamangalam Village, Madurai District. He belongs to Scheduled Tribe. There are 100 families belonging to Scheduled Tribe in his village along with the petitioner family. According to the census report 2011, 350 families of the Scheduled Tribe are residing in the petitioner's village.

4.In Madurai District, there are 420 village Panchayat in 13 Panchayat union. Kulamangalam Village Panchayat comes under Madurai West Panchayat Union. Though lot of Scheduled Tribes people are residing in all over 29 village Panchayat, the petitioner's village alone is having 312 votes of Scheduled Tribe people. Kulamangalam Village Panchayat was allotted for general women, for the post of President. On 07.10.2016 the petitioner has made a representation to the respondents 2 to 5 to take immediate action of allotting Kulamangalam Panchayat for Scheduled Tribe for the post of President. As the same has not been considered so far, the petitioner is before this Court.

5.The learned Additional Government Pleader appearing for the respondents is agreeable to consider the representation of the petitioner and to pass orders on merits and in accordance with law.

6.Accordingly, the second respondent is directed to consider the representation of the petitioner dated 08.10.2016 and to pass orders on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS)

To

1.The Principal Secretary,
Department of Rural Development and
Panchayat Raj, Secretariat,
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Chennai - 9.

2.The District Collector,
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Collectorate, Madurai.

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Madurai.

+1cc to M/s.P.Chinnaiah, Advocate in SR.61085

+1cc to the Special Government Pleader, in SR.61250

WP (MD) No.19899 of 2016
18.10.2016

mj

PBK/DB/SAR-I 25/10/2016 ::3P-8C: