

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.01.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.3425 of 2011
and
M.P.Nos.1 and 2 of 2011

K.Amul Rani Kumar

... Petitioner

- Vs -

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

2. The Inspector of Panchayat /
District Collector,
Thiruvallur District,
Thiruvallur.

3. The Tahsildar,
Ambattur Taluk,
Ambattur, Thiruvallur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned report dated 24.01.2011 Ref.No.Na.Ka.1929/2010/A3 and the Gazette Publication dated 27.1.2011 No.VI(2)/92(b)/2011 issued by the second respondent as well as the consequential order dated 28.1.2011 Ref.No.Na.Ka.1929/2010/A3/E(U), and quash the same and all consequential proceedings and consequently direct the respondents to permit the petitioner to officiate as President of Morai Village Panchayat, Ambattur Taluk, Thiruvallur District.

For Petitioner
For Respondents

: No Appearance
: Mr.S.Navaneethan
Additional Government Pleader

O R D E R

Challenging the impugned order dated 24.01.2011, passed under Section 205(12) of the Tamil Nadu Panchayat Act, 1994, the present Writ Petition is filed. In the aforesaid order, it has been clearly stated that if the petitioner is aggrieved by the said order, he can file an appeal under the provisions of the Act within 60 days.

2. The learned Additional Government Pleader has brought to the notice of this Court that the petitioner was elected as a President of Villivakkam Panchayat for the period from 2011-16. The tenure of the said period has already been over. Therefore, the Writ Petition has become infructuous. But, however, in view of the submission made by the learned counsel for the respondents and in the light of the provisions under the above said Act, the petitioner can file an appeal against the impugned order passed by the District Collector, namely the 2nd respondent.

3. Accordingly, this Writ Petition is dismissed. If the petitioner is aggrieved by the said order, he can file an appeal before the Appellate Authority, if so advised within a period of 12 weeks from today. Consequently, connected miscellaneous petitions are closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssn

To

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

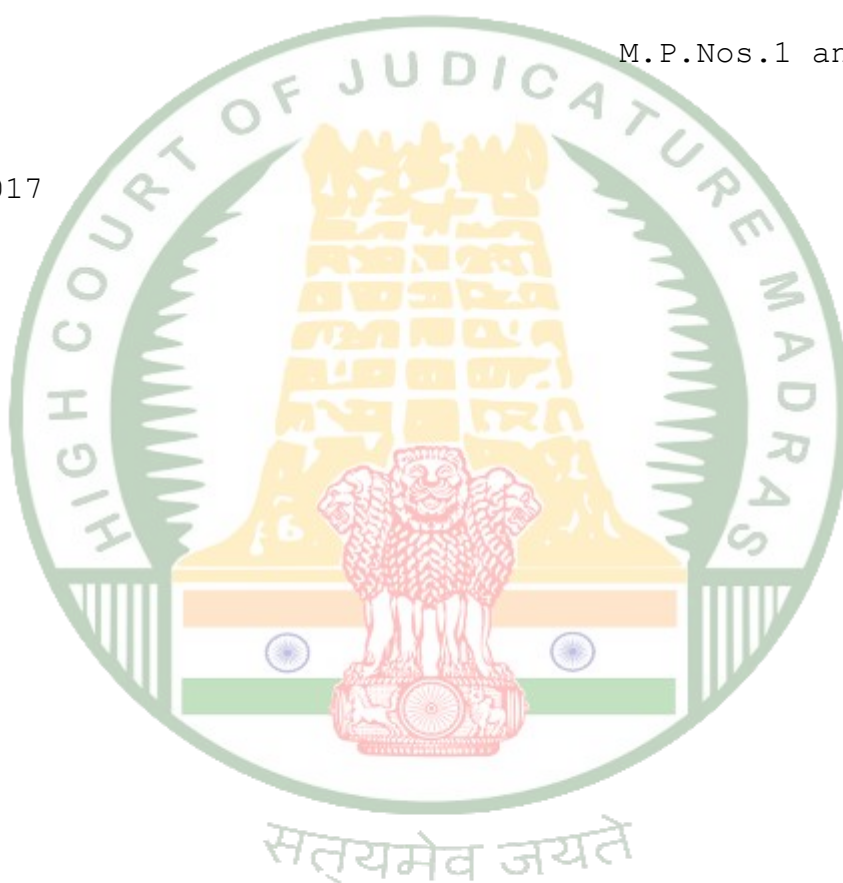
2. The Inspector of Panchayat /
District Collector,
Thiruvallur District,
Thiruvallur.

3. The Tahsildar,
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Ambattur, Thiruvallur District.

+ 1 cc to Government Pleader sr 5293

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