IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.24201 of 2004
and
W.P.M.P.No.29382 of 2004

Vaithi @ Vaithiyalingam .. Petitioner

Vs.

1. The Block Development Officer,
Andimadam (P.U).,
Perambalur District.

2. The Commissioner,
Andimadam Panchayat Union,
O/o Andimadam Panchayat Union,
Perambalur District.

3. Andimadam Panchayat Union,
Rep. by its Chairman,
Andimadam, Perambalur District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings made in Na.Ka.A2/561/2003, dated 10.08.2004 issued by the first respondent and quash the same and consequently forbear the respondents from disqualifying the petitioner from the post of Council Member in the third respondent-Panchayat Union.

For Petitioner : Mr.G.Ethilrajulu
For Respondents : Mr.O.Selvam, Govt. Advocate for R-1
Mr.P.S.Jayakumar for RR-2 and 3

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ORDER

The petitioner has come forward with above writ petition praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings made in Na.Ka.A2/561/2003, dated 10.08.2004 issued by the first respondent and quash the same and consequently forbear the respondents from disqualifying the petitioner from the post of Council Member in the third respondent-Panchayat Union.

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2. When the Writ Petition is taken up for hearing, learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 and 3 submitted that the period of disqualification of the petitioner in the post of Council Member in the third respondent-Panchayat Union, is already over. Learned counsel for the petitioner contended that whether the disqualification amounts to permanent disqualification or for the period in question, has got to be decided in this Writ Petition. To this contention, the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 and 3 submitted that the disqualification is only for the period in question and in case the petitioner contests in the Local Body Elections in future, his candidature will be considered in accordance with law.

3. Recording the above submissions of the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 and 3, this Writ Petition is disposed of. No costs. Consequently, W.P.M.P. is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Block Development Officer,
   Andimadam (P.U).,
   Perambalur District.

2. The Commissioner,
   Andimadam Panchayat Union,
   O/o Andimadam Panchayat Union,
   Perambalur District.

+2 cc to M/s.O.Selvam Advocate sr 76693

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