

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2017

CORAM

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.17889 of 2004

and W.P.M.P.No.21261 of 2004

S.Raghupathi

...Petitioner

Vs.

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
Municipal Administration &
Water Supply Department,
Fort St. George, Chennai - 9.
2. Ayyampalayam Town Panchayat,
Rep. by its Executive Officer,
Dindigul District.
3. The State of Tamil Nadu
Rep. by Chief Electoral Officer,
Public (Election III) Department,
Chennai - 9.

...Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of declaration declaring the G.O.(MS) No.270 Municipal Administration and Water Supply (Election) Department dated 11.06.2004 downgrading the second respondent Municipality into Village Panchayat thereby modifying the status of the second respondent/Town Panchayat to the status of Village Panchayat in contradiction with the provisions of Constitution of India 74th Amendment and the relevant provisions of District Municipalities Act, read with the letter No.3060/2003-15 dated 18.02.2004 of the third respondent and before the expiry of the elected tenure of the members is illegal, unconstitutional and ultravires to the Article 243 U of the Constitution of India and a colourable exercise of power Section 3B(3) of the Tamil Nadu Districts Municipalities Act, 1920 and inconsistent with the statutory prescriptions therein and opposed to the directives of the Delimitation Commission.

For Petitioner : Mr.R.Gokulakrishnan

For Respondents: Mr.A.Zakir Hussain
Government Advocate for R1

O R D E R

Mr.R.Gokulakrishnan, learned counsel appearing for the petitioner submitted that the prayer sought for in the writ petition has become infructuous and he seeks permission to withdraw the writ petition. The learned counsel has also made an endorsement in the Court bundle, today, to that effect.

2. Considering the said submission made by the learned counsel for the petitioner as well as the endorsement made in the Court bundle, this writ petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Secretary to Government,
The State of Tamilnadu,
Municipal Administration &
Water Supply Department,
Fort St. George, Chennai - 9.
2. The Executive Officer,
Ayyampalayam Town Panchayat,
Dindigul District.
3. The Chief Electoral Officer,
The State of Tamil Nadu
Public (Election III) Department,
Chennai - 9.
4. The Public Prosecutor,
High Court, Madras.

+1 cc to the Govt Pleader sr 86928
+1 cc to M/s.G.R.Associates sr 86556

W.P.No.17889 of 2004
and W.P.M.P.No.21261 of 2004

aa09/01/2018