



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.08.2017
CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P. (MD) No.14504 of 2017

S.Nagamuthu

.. Petitioner

Vs.

1. The Govt. of Tamil Nadu,
Rep. by its Secretary to Government,
Rural Development and
Panchayat Raj Department,
Fort St. George, Chennai - 9.

2. The Tamil Nadu State Election Commission,
Rep. by its
State Election Commissioner,
No.208/2, Jawaharlal Nehru Road,
Arumbakkam, Chennai.

3. The Commissioner of Rural Development
& Panchayat Raj Department,
Panagal Maligai,
Jeenis Road, Saidapet,
Chennai.

4. The District Collector,
Pudukkottai District.

5. The Block Development Officer,
Arimalam Panchyat Union,
Pudukkottai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 07.11.2016, to notify the Ward Nos.12 & 13 of Arimilam Panchayat Union, Pudukkotai District as a General Ward on rotation basis prior to the publication of notification for Panchayat elections 2017.

For petitioner : Mr.K.Baalasundharram

For respondents No.1 to 3 : Mr.R.Karthikeyan
Additional Government Pleader

For respondent No.5 : Mrs.Bharathi

For respondent No.4 : Mr.M.Govindan
Special Government Pleader

**O R D E R**

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition to notify the Ward Nos.12 & 13 of Arimilam Panchayat Union, Pudukkottai District, as a General Ward, on rotation basis.

2. The learned Additional Government Pleader appearing for the Tamil Nadu State Election Commission, by placing reliance on the amendment made to the Tamil Nadu Panchayats Act, 1994, contended that in view of the amended provision, there is no question of considering the representation given by the petitioner for the purpose of converting the reserved ward as a general ward, on rotation basis.

3. In view of the amendment made to the statute, there is no question of entertaining the Writ Petition. It is always open to the petitioner to challenge the statutory provision, if he is aggrieved.

4. The Writ Petition is dismissed, with the above observation. No costs.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To:

1. The Secretary to Government, Rural Development and Panchayat Raj Department, Fort St. George, Chennai - 9.
2. The State Election Commissioner,
The Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road, Arumbakkam, Chennai.
3. The Commissioner of Rural Development
& Panchayat Raj Department,
Panagal Maligai, Jeenis Road, Saidapet,
Chennai.
4. The District Collector, Pudukkottai District.
5. The Block Development Officer, Arimalam Panchyat Union,
Pudukkottai District.

+1 CC to M/s.K.BAALASUNDHARAM, Advocate, SR No. 70486.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 70874.

NB

PSM/GT/SAR1/24.08.2017/2P/8C