



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.21121 of 2017

P.Suyambu Linga Durai

... Petitioner

vs.

1.The Director,
Rural Development and Panchayat Raj Dept.,
Panakal Maligai,
Saidapettai,
Chennai - 600 015.

2.State Election Commissioner,
Arumbakkam,
Chennai - 600 106.

3.District Election Officer & District Collector,
Tirunelveli District,
Tirunelveli.

... Respondents

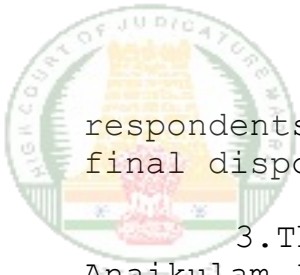
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 07.09.2017 and pass orders reserving ward No.1 & 9, Valliyoor Panchayat Union for women as per Section 7 of Tamilnadu Panchayats Act (Reservation of seats and rotation of reserved seats) Rules 1995.

For Petitioner : Mr.R.Ragavendran

For Respondents : Mr.R.Karthikeyan
Additional Government PleaderO R D E R

This writ petition has been filed seeking a direction to the first respondent to consider the petitioner's representation dated 07.09.2017 and pass orders, reserving ward Nos.1 & 9, Valliyoor Panchayat Union for women as per Section 7 of Tamilnadu Panchayats Act (Reservation of seats and rotation of reserved seats) Rules 1995.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the



respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.The case of the petitioner is that for the past 20 years, Anaikulam Village Panchayat (Ward No.1) and Thanakkarkulam Village Panchayat (Ward No.9) were allotted to general category in Panchayat Ward Elections and claiming reservation for women to the above said Wards as per Section 7 of Tamilnadu Panchayats Act (Reservation of seats and rotation of reserved seats) Rules 1995, the petitioner has given a representation dated 22.07.2017 to the respondents 2 and 3. As the second respondent has no power to look into the issue, forwarded the said representation to the first respondent by the communication dated 27.07.2017. Thereafter, no action has been taken by the first respondent. Hence, the petitioner has given another representation dated 07.09.2017 to the first respondent. Since the same has not been considered so far, the petitioner is before this Court with the above prayer.

4.Considering the facts and circumstances of the case, this Court, without going into the merits of the matter, directs the first respondent to consider the representation of the petitioner dated 07.09.2017 in the light of the communication of the second respondent dated 27.07.2017 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

5.With the above direction, this petition is disposed of. No costs.

Sd/-
Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Director,
Rural Development and Panchayat Raj Dept.,
Panakal Maligai, Saidapettai,
 - 2.State Election Commissioner,
Arumbakkam, Chennai - 600 106.
 - 3.District Election Officer & District Collector,
Tirunelveli District, Tirunelveli.
- +One cc to M/s.R.Ragavendran, Advocate, SR.No.87907
+One cc to The Special Government Pleader, SR.No.87950

mj

RL/6C/2P/SV/MMS/SAR1/28/11/2017

<https://hcservices.ecourts.gov.in/hcservices/>

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