



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.6265 of 2017
and
WMP(MD)No.4952 of 2017

Arulmigu Mutharamman Thirukoil,
Peyankuzhi, Rep. by its president,
P.Gopalan

: Petitioner

Vs.

1.The District Collector cum Inspector of
Panchayats, Kanyakumari District, Nagercoil.

2.The Assistant Director - Village Panchayats,
District Collector's Office Campus,
Nagercoil, Kanyakumari District.

3.The Block Development Officer,
Thuckalay Panchayat Union,
Kozhiporvilai, Mulagumoodu Post,
Kanyakumari District.

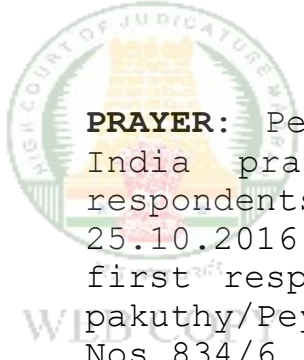
4.The Special Officer,
Nullivilai Village Panchayat,
Kandanvilai & Post, Kanyakumari District.

5.The Chief Election Commissioner,
Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
Opposite CMBT Arumbakkam,
Chennai - 600 106.

6.The Secretary,
Tamil Nadu Ministry of Rural Development &
Panchayat Raj, Secretariat, Fort.St.George,
Chennai - 600 009.

: Respondents

(R5 & R6 are impleading vide
Court order dated 27.04.2017



PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the representations dated 25.10.2016 made by the petitioner and consequently forbearing the first respondent from including the area situated in Peyankuzhy pakuthy/Peyankuzhy block/Peyankuzhy ward comprised in re-survey Nos.834/6 to 21 & re-survey No.821/15 to 25 of Nullivilai-B Village, Kalkulam Taluk, Kanyakumari District with Nullivilai Block No.25 Ward No.13 and with Vadakku Nullivilai, Nullivilai Block No.24, ward No.13 respectively.

For Petitioner	: Mr.L.Victoria Gowri
For Respondents	: Mr.T.Mohammed Mohideen
	Additional Government Pleader

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

This writ petition has been filed in public interest by the petitioner representing the Hamlet of Peyankuzhy, Kanyakumari District.

2.It is the contention of the writ petitioner that Kanyakumari District is a communal sensitive District and that therefore the names of places is a matter of considerable local importance.

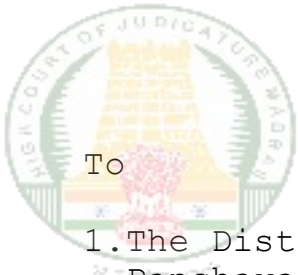
3.It is alleged that Peyankuzhy was incorrectly referred to as Perinbapuram. There has been inclusion of the areas falling in Peyankuzhy Hamlet in Nullivilai "B" village. In this regard, the petitioner submitted a representation dated 25 October, 2016 to the respondents 1 to 4. It appears that the first respondent has not responded to the said representation till date which warranted the institution of the present writ petition.

4.The first respondent is directed to consider the representation, dated 25 October, 2016 submitted by the writ petitioner in accordance with the provisions of Tamil Nadu Panchayats Act, 1994 and the Rules framed therein, particularly the Tamil Nadu Panchayats (Fixation of strength of members, division of wards) Rules, 1995. The first respondent shall complete the exercise as expeditiously as possible and in any event, within a period of six weeks from the date receipt of a copy of this order.

5.This Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

/ True Copy /



To

- 1.The District Collector cum Inspector of Panchayats, Kanyakumari District, At Nagercoil.
- 2.The Assistant Director - Village Panchayats, District Collector's Office Campus, Nagercoil, Kanyakumari District.
- 3.The Block Development Officer, Thuckalay Panchayat Union, Kozhiporevilai, Mulagumoodu Post, Kanyakumari District.
- 4.The Special Officer, Nullivilai Village Panchayat, Kandanvilai & Post, Kanniyakumari District.
- 5.The Chief Election Commissioner, Tamil Nadu State Election Commission, No.208/2, Jawaharlal Nehru Road, Opposite CMBT Arumbakkam, Chennai - 600 106.
- 6.The Secretary, Tamil Nadu Ministry of Rural Development & Panchayat Raj, Secretariat, Fort.St.George, Chennai - 600 009.

+1cc to M/S.L.VICTORIA GOWRI, Advocate SR.No.61222

+1cc to Special Government Pleader, SR.No.63957

Arul / Skm

MAS/MR-KKR/SAR4:19.07.2017:3P-9C

W.P. (MD) No.6265 of 2017

06.07.2017