

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2018

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8273 of 2014
and M.P.Nos.1 and 2 of 2014

P. Murugaiyan

... Petitioner

Vs.

1. The Government of Tamil Nadu
Rep. by its Secretary to Government Municipal
Administration and Water Supply Department,
Fort St.George, Chennai -9.
2. The Commissioner of Municipal Administration,
Ezhilagam, Annex Building,
VI Floor, Chepauk, Chennai - 5.
3. The Commissioner,
Thanjavur Municipal Corporation,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Articles 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records from the respondents pertaining to the impugned order G.O.No.23, Municipal Administration and Water Supply (Election) Act, dated 17th February 2014 issued by the 1st respondent published as notification No.29 in Tamil Nadu Government Gazette on 17.02.2014 and quash the same in part regarding merger of Vallam Village Panchayat with the 3rd respondent and consequently to direct the 1st and 2nd respondents to upgrade status of Vallam Village Panchayat to Town Panchayat.

For Petitioner : Mr.P.Vijendran
For 1st & 2nd Respondents : Mr.M.Elumalai
For 3rd Respondent : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

The relief sought for in this Writ Petition is to call for the records from the respondents pertaining to the impugned order G.O.No.23, Municipal Administration and Water Supply

(Election) Act, dated 17th February 2014 issued by the 1st respondent published as notification No.29 in Tamil Nadu Government Gazette on 17.02.2014 and quash the same in part regarding merger of Vallam Village Panchayat with the 3rd respondent and consequently to direct the 1st and 2nd respondents to upgrade status of Vallam Village Panchayat to Town Panchayat.

2. On a perusal of the impugned notification issued by the Government and further based on the submission made by the learned Special Government Pleader appearing for the respondents, it is clear that no such decision of merger had been taken by the Government. In fact, the notification also did not communicate that it is a merger and that Vallam Village Panchayat had been merged with Thanjavur Corporation. However, it is made clear that a proposal has already been sent for consideration and it is pending.

3. Thus, the Writ Petitioner has not established any cause of action for maintaining the Writ Petition and he shall not be construed as an aggrieved person under Article 226 of the Constitution of India. Further, if at all any decision or order is passed, it is left open to the aggrieved persons to approach the appropriate forum in the manner known to law.

4. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS VII)

//True copy//

Sub Assistant Registrar

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To

1. The Secretary to Government Municipal Administration and Water Supply Department, Fort St.George, Chennai -9.
2. The Commissioner of Municipal Administration, Ezhilagam, Annex Building, VI Floor, Chepauk, Chennai - 5.

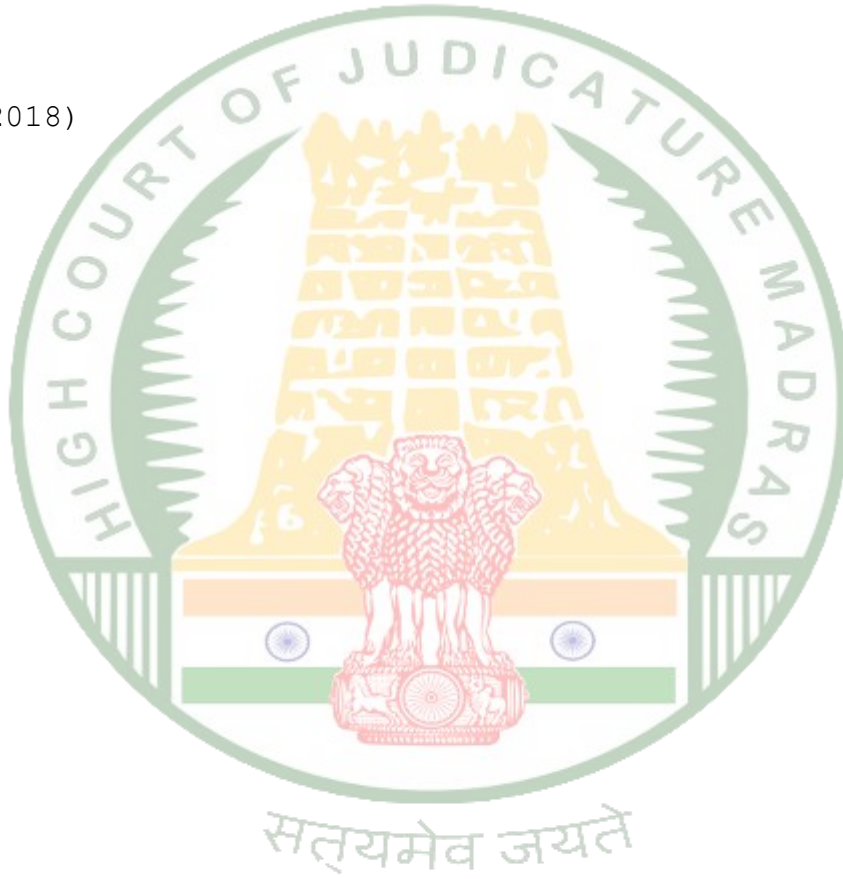
3. The Commissioner,
Thanjavur Municipal Corporation,
Thanjavur.

+1cc to Mr.P.Viendran, Advocate SR.No.37593

+1cc to Mr.V.Jayaprakash Narayan, Advocate SR.No.37591

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and M.P.Nos.1 and 2 of 2014

GN(04/07/2018)



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