

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.5677 of 2018

T.K.Vadivel

..Petitioner

Vs

1.The Principal Secretary to Government,
The Rural Development and Panchayat Raj Department,
Secretariat,
Fort St.George, Madras – 600 009.

2.The Chief Election Commissioner,
State of Tamil Nadu,
100 Feet Road,
Koyambedu, Madras – 600 107.

3.The District Collector,
Tiruppur District,
Tiruppur.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondents to declare the posts of Chairman, Kunnathur Town Panchayat for the Local Body Election as Reserved for Scheduled Caste on a rotation basis by considering the petitioner's representation dated 18.1.2018.

(Prayer amended as per order of this Court dated 05.04.2018 in W.M.P.No.10001 of 2018 in W.P.No.5677 of 2018)

For Petitioner : Mr.M.Guruprasad
For Respondents : Mr.V.Shanmuga Sundar
Special Government Pleader

ORDER

This writ petition has been filed seeking for issuance of a writ of mandamus, to direct the respondents to declare the post of Chairman, Kunnathur Town Panchayat for the Local Body Election as Reserved for Scheduled Caste on a rotation basis by considering the petitioner's representation dated 18.1.2018.

2. Heard Mr.M.Guruprasad, learned counsel appearing for the petitioner and Mr.V.Shanmuga Sundar, learned Special Government Pleader appearing for the respondents and perused the materials available on record.

3. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondents to dispose of the representation of the petitioner.

4. The learned Special Government Pleader appearing for the respondents submitted that the grievance of the petitioner has to be considered only by the Commissioner of Municipal Administration, Chennai. But, he is neither a party in this writ petition, nor any representation given to the concerned authority. If the petitioner gives a representation before the competent authority, the same shall be considered in accordance with law.

5. In the light of the above submissions, this Court, without going into the merits of the case, directs the petitioner to give a representation to the Commissioner, Municipal Administration, Chennai, within a period of two weeks, from the date of receipt of a copy of this order, by enclosing a copy of this order. On such compliance, the Commissioner, Municipal Administration, Chennai, shall consider the representation of the petitioner and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to all the necessary parties, within a period of eight weeks there from.

6. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

05.04.2018
(2/2)

Speaking Order / Non Speaking Order

Index: Yes/ No
Internet: Yes/No
ms

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K.KALYANASUNDARAM, J.

ms

To

- 1.The Principal Secretary to Government,
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