



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 28.08.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CONTEMPT PETITION (MD) NO. 1112 OF 2019

K.Gurunathan

.. Petitioner/Petitioner

- Vs -

1. Mr. Hans Raj Verma, I.A.S.

Secretary to Government of
Tamil Nadu, Rural Development
& Panchayat Raj Department
Fort St. George, Chennai 600 009.

..Contemnor/ Respondent

Contempt Petition filed under Section 11 of the Contempt of Courts Act praying this Court to punish the contemnor for deliberate and wilful disobedience of the order dated 20.12.2018 passed in W.P. (MD) No.23504 of 2018.

Prayer in WP(MD). 23504/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to take necessary steps to ensure the conduct of Grama Sabha meetings in all over Tamil Nadu State as per the Tamil Nadu Grama Sabha (Quorum and Procedure for Convening and Conducting of meetings) Rules 1988 and the written request of the beneficiaries for basic amenities and resolve problems presented in the Grama Sabha Meetings are recorded in the Resolution Book for necessary action, by considering the representation of petitioner dated 13.10.2018, with in a time frame as fixed by this Hon'ble Court.

For Petitioner : Mr. R.Gowrishankar

For Respondents : Mr. A.K.Baskarapandian, Spl. G.P.

ORDER

(Order of the Court was made by M.Sathyannarayanan, J.)

The petitioner, alleging wilful disobedience and non-compliance of the order dated 20.12.2018 made in W.P. (MD) No.23504/2018, came forward to file the present petition.

2. Heard the submission of the learned counsel for the petitioner and also perused the materials available in the typed set of documents and it prima facie appears to be an individual grievance.



3. Mr. A.K.Baskarapandian, learned Special Government Pleader accepts notice for the respondent and submitted Letter No.4181/PR.2/2019-2 dated 31.5.2019 issued by the Addl. Chief Secretary to Government, Rural Development & Panchayat Raj Department, Secretariat, Chennai - 9, wherein the above cited order has been referred to and in para-2 it is stated that the concerned officials are instructed to conduct Grama Sabha meeting strictly as per the procedures laid down u/s 3 of the Tamil Nadu Panchayats Act and Tamil Nadu Grama Sabha (Quorum and Procedure for Convening and Conducting of Meeting) Rules. It is relevant to extract para-3 of the said communication, as hereunder :-

"3. Hence, I request you that (as per the Hon'ble High Court orders dated 20.12.2018 regarding the Grama Sabha meetings in all Village Panchayats) in your District be convened, hereafter, by strictly adhering to the procedures laid down in the Tamil Nadu Panchayats Act and Tamil Nadu Grama Sabha (Quorum and Procedure for Convening and Conducting of Meeting) Rules including the period of notice and recording of minutes.

- The Tahsildar of the concerned Taluks shall conduct periodical inspection of the proceedings of the Grama Sabha meetings in the villages with reference to the issuance of notice and recording of minutes of meetings, falling within their respective jurisdiction.*
- The concerned District Collectors shall receive monthly reports from the Tahsildars of their districts regarding compliance of the aforesaid direction in their respective villages."*

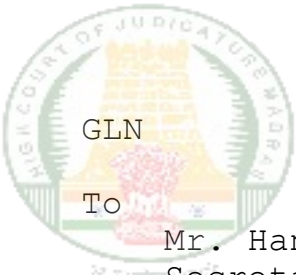
4. The said letter submitted by the learned Special Government Pleader is taken on file and recorded and in the light of the same, this Court is of the considered view that no contempt is made out and, accordingly, this petition is closed. However, if the petitioner is aggrieved by any individual act as to non-compliance of the said rules and communication, he is always at liberty to work out his remedies in accordance with law before the competent forum.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)



To

Mr. Hans Raj Verma, I.A.S.
Secretary to Government of
Tamil Nadu, Rural Development
& Panchayat Raj Department
Fort St. George, Chennai 600 009.

+1 CC to M/s.SPL GP (SR-84624[F] dated 30/08/2019)

CONT. PTN. (MD) NO. 1112 OF 2019
28.08.2019

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