



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

and

THE HONOURABLE MRS.JUSTICE **R.THARANI**

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W.P. (MD)No.24971 of 2019

Sivagangai District,
Devakottai Taluk,
Bavanakottai Post,
Poonkudi Village People,
represented by A.Venkatachalam

... Petitioner

Vs

1.The Commissioner,
Tamil Nadu State Election Commission,
Jai Nagar, Koyambedu,
Chennai - 16.

2.The District Collector cum Inspector of Panchayat,
Sivagangai District,
Sivagangai.

3.The Assistant Director,
(Village Panchayat)
Collectorate Complex,
Sivagangai District.

4.The Secretary,
Maviduthikottai Village Panchayat,
Devakottai Panchayat Union,
Sivagangai District.

5.The Secretary,
Ilangudi Village Panchayat,
Devakottai Panchayat union,
Sivagangai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 22.08.2018 to bifurcate Maviduthikottai Village Panchayat and exclude the Poonkudi Village and same may be include the Ilangudi Village Panchayat.

For Petitioner : Mr.P.Muthusamy

For R1 : Mr.D.Shanmugaraja Sethupathi



For R2, R3 & R5 : Mr. A.K. Baskarapandian
Special Government Pleader

For R4 : Mr. M. Jeyakumar,
Additional Government Pleader

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ORDER

(Order of the Court was made by **T.S. SIVAGNANAM, J.**)

The petitioner seeks for directing the respondents 1 to 3 to consider the petitioner's representation dated 22.08.2018 to bifurcate Maviduthikottai Village Panchayat and exclude the Poonkudi Village and same may be include the Ilangudi Village Panchayat.

2. Exercising the jurisdiction under Article 226 of the Constitution of India, we cannot issue any direction to bifurcate or exclude the Village Panchayats. All these have been decided only at the time of election by the election commission. Therefore, the prayer sought for in this writ petition cannot be entertained.

3. Accordingly, this writ petition is dismissed. However, the petitioner is permitted to pursue his representation before the appropriate authorities. No costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The District Collector cum Inspector of Panchayat,
Sivagangai District, Sivagangai.
2. The Assistant Director (Village Panchayat)
Collectorate Complex,
Sivagangai District.
3. The Secretary,
Maviduthikottai Village Panchayat,
Devakottai Panchayat Union,
Sivagangai District.



4.The Secretary,
Ilangudi Village Panchayat,
Devakottai Panchayat union,
Sivagangai District.

+1 CC to M/s.D. SHANMUGARAJA SETHUPATHI, Advocate (SR-100973[F]
dated 25/11/2019)

+1 CC to M/s.P. MUTHUSAMY, Advocate (SR-101376[F] dated 26/11/2019)

+1 CC to M/s.SPL GP (SR-101511[F] dated 26/11/2019)

W.P. (MD) No.24971 of 2019

25.11.2019

_KK/SAR/11.12.2019/3P-8C/