

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.5861 of 2020 and WMP No.6873 of 2020

K.S.Nachimuthu

... Petitioner

-Vs-

1. The District Collector,
Erode District.
2. The Block Development Officer,
Thookkanaickenpalayam,
Erode District.
3. Kondaiyampalayam Panchayat,
Kallipatti, Gobichettipalayam Taluk,
Erode District,
Represented by its President.
4. Mrs.Maragatham,
The President,
Kondaiyampalayam Panchayat Union,
Kallipatti, Gobichettipalayam Taluk,
Erode District

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring the resolution No.8 dated 20.02.2020 on the file of the 3rd respondent as null and void.

For Petitioner	:	Mr.R.Nalliyappan
For Respondents	:	Mr.K.Parameswaran
		Government Advocate
		for R1, R2
		Mr.D.Raghu
		Standing Counsel for R3.

ORDER

This writ petition has been filed for the issue of writ of declaration to declare the resolution passed by the 3rd respondent Panchayat Union, as null and void.

2. The petitioner is the Vice President of the Panchayat. The case of the petitioner is that there are totally 12 members in the Panchayat including the petitioner and on 20.02.2020, the 3rd respondent had proceeded to pass a resolution for putting up a statue of a political leader. According to the petitioner, this was opposed by the majority members and in spite of the same, the same was not recorded and the signatures were not obtained in the resolution book. Therefore, the claim of the petitioner is that the 4th respondent is proceeding to illegally proceed further to erect the statue. The petitioner made a complaint in this regard to the 1st respondent. Since the same has not been considered, the present writ petition has been filed before this Court.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 20.02.2020 and pass orders on its own merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with copy of this order.

5. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

rka

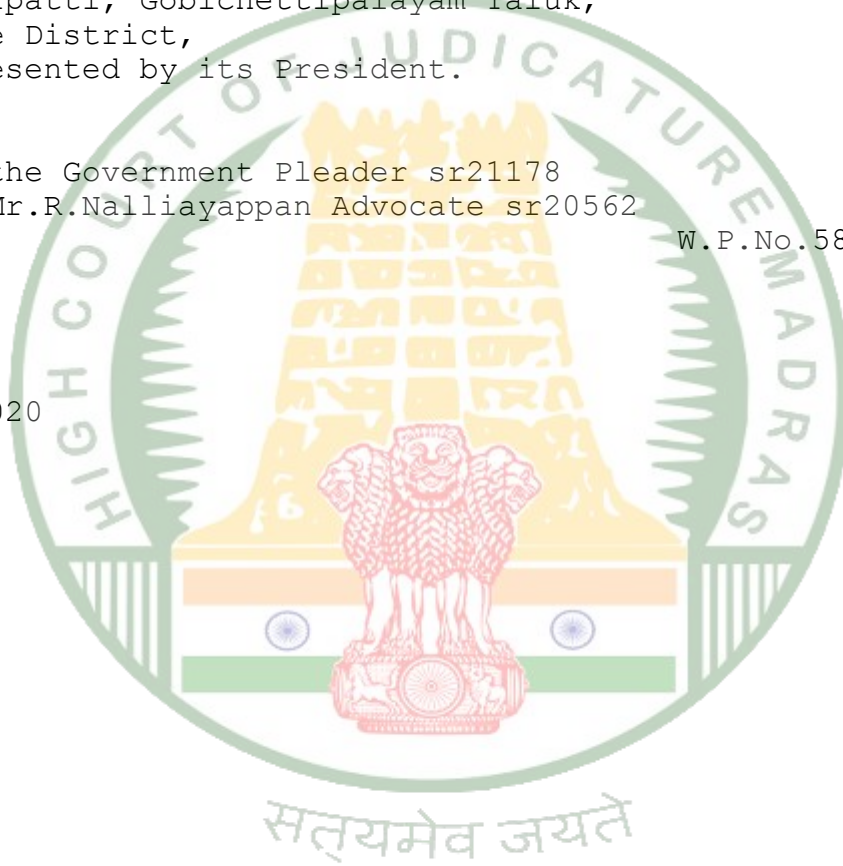
To

1. The District Collector,
Erode District.
2. The Block Development Officer,
Thookkanaickenpalayam,
Erode District.
3. Kondaiyampalayam Panchayat,
Kallipatti, Gobichettipalayam Taluk,
Erode District,
Represented by its President.

+1 cc to the Government Pleader sr21178
+1 cc to Mr.R.Nalliyappan Advocate sr20562

W.P.No.5861 of 2020

gmr (co)
aa16/03/2020



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