



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.16845 of 2020

and

W.M.P. (MD).No.14071 of 2020

(Through Video Conferencing)

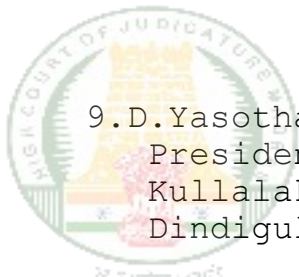
WEB COPY

- 1.V.Ramalakshmi
- 2.R.Kanimozhi
- 3.M.Arockiya Nirmala Mary
- 4.K.Alagu Raja
- 5.C.Guruvammal
- 6.M.Leelavathi

... Petitioners

Vs

- 1.The State of Tamil Nadu,
represented by its Principal Secretary to Government,
Rural Development and Panchayat Department,
Secretariat, Chennai.
- 2.The Director,
O/o, the Rural Development and Panchayat Raj Department,
Panagal Maligai, 4th and 5th Floor, Adbul Razak Street,
Saidapet, Chennai-600 015.
- 3.The District Collector,
O/o. The District Collector Office,
Dindigul District, Dindigul.
- 4.The Project Director,
O/o. The District Rural Development Agency (DRDA),
Dindigul District, Dindigul.
- 5.The Assistant Director of Panchayat,
O/o. the Rural Development and Panchayat Raj Department,
Dindigul District, Dindigul.
- 6.The Block Development Officer (Village Panchayat),
O/o. the Block Development Office,
Nilakottai Panchayat Union, Dindigul District.
- 7.The Panchayat President,
Kullalakundu Panchayat, Nilakottai Panchayat Union and Taluk,
Dindigul District.
- 8.The Vice President,
Kullalakundu Panchayat,
Nilakottai Panchayat Union and Taluk,
Dindigul District.



9.D.Yasothai,
President,
Kullalakundu Panchayat, Nilakottai Panchayat Union and Taluk,
Dindigul District.

10.Kalimuthu
Vice President,
Kullalakundu Panchayat, Nilakottai Panchayat Union and Taluk,
Dindigul District.

11.G.Muthupandi
Panchayat Secretary,
Kullalakundu Panchayat, Nilakottai Panchayat Union and Taluk,
Dindigul District. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to initiate action under Section 205 of the Tamil Nadu Panchayat Act, 1994 and by considering the petitioners' representation dated 23.10.2020 within the period that may be stipulated by this Court.

For Petitioners	: Mr.M.Ajmal Khan Senior Counsel for M/s.Ajmal Associates
For R-1 to R-5	: Mr.M.Rajarajan Additional Government Pleader
For R-6 to R-11	: Mr.M.Thilagar Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the third respondent to initiate action against the ninth respondent under Section 205 of the Tamil Nadu Panchayat Act, 1994, by considering the petitioners' representation dated 23.10.2020, within a time frame to be fixed by this Court.

2. Mr.M.Rajarajan, learned Additional Government Pleader accepts notice for the respondents 1 to 5 and Mr.M.Thilagar, learned Government Advocate accepts notice for the respondents 6 to 11. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard Mr.M.Ajmal Khan, learned Senior counsel for the petitioner, Mr.M.Rajarajan, learned Additional Government Pleader for the respondents 1 to 5 and Mr.M.Thilagar, learned Government Advocate for the respondents 6 to 11

4. Mr.M.Ajmal Khan, learned Senior counsel for the petitioners drew the attention of this Court to Section 205 of the Tamil Nadu Panchayat Act, 1994 and would submit that despite a representation having been given by 2/3rd of the members of the



Village Panchayat, the same has not been considered by the third respondent seeking for removal of the ninth respondent as the President of the Panchayat.

5. Mr.M.Rajarajan, learned Additional Government Pleader for the respondents 1 to 5 on instructions, would submit that pursuant to the representation dated 23.10.2020 given by the petitioners, enquiry proceedings has been commenced by the third respondent and the first hearing was on 29.10.2020. On instructions, he would further submit that the third respondent is willing to complete the enquiry proceedings and pass final orders in the petitioners' representation, within a time frame to be fixed by this Court.

6. In view of the said submissions, this Court directs the third respondent to consider the petitioners' representation dated 23.10.2020 calling for removal of the ninth respondent as the President of Kullakundu Panchayat, Nilakottai Panchayat Union and Taluk, Dindigul District and pass final orders on merits and in accordance with law, after hearing the necessary parties including the petitioners herein and the ninth respondent, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

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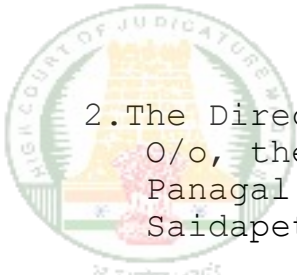
Sub Assistant Registrar(CS)

tsg

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1.The Principal Secretary to Government,
the State of Tamil Nadu,
Rural Development and Panchayat Department,
Secretariat, Chennai.



- 2.The Director,
O/o, the Rural Development and Panchayat Raj Department,
Panagal Maligai, 4th and 5th Floor, Adbul Razak Street,
Saidapet, Chennai-600 015.
- 3.The District Collector,
O/o. The District Collector Office, Dindigul District,
Dindigul.
- 4.The Project Director,
O/o. the Rural Development and Panchayat Raj Department,
Dindigul Distrct, Dindigul.
- 5.The Assistant Director of Panchayat,
O/o. the Rural Development and Panchayat Raj Department,
Dindigul District, Dindigul.
- 6.The Block Development Officer (Village Panchayat),
O/o. the Block Development Office,
Nilakottai Panchayat Union, Dindigul District.
- 7.The Panchayat President,
Kullalakundu Panchayat, Nilakottai Panchayat Union and Taluk,
Dindigul District.
- 8.The Vice President,
Kullalakundu Panchayat,
Nilakottai Panchayat Union and Taluk,
Dindigul District.
- 9.The President,
Kullalakundu Panchayat, Nilakottai Panchayat Union and Taluk,
Dindigul District.
- 10.The Vice President,
Kullalakundu Panchayat, Nilakottai Panchayat Union and Taluk,
Dindigul District.
- 11.The Panchayat Secretary,
Kullalakundu Panchayat, Nilakottai Panchayat Union and Taluk,
Dindigul District.

+3 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-23837[F] dated
03/12/2020)

+1 CC to M/s.GP (SR-24097[F] dated 04/12/2020)

W.P. (MD)No.16845 of 2020

02.12.2020

SSS (CO)

KK(14.12.2020) 4P 16C

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