

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NO.17341 OF 2011

AND

M.P.NO.1 OF 2011

K.Eswaran

... Petitioner

Vs.

1. The District Collector,
Inspector of Panchayat,
Coimbatore District.

2. The Tasildhar,
Pollachi Taluk (North),
Coimbatore District.

... Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorari, to call for the records in Na.Ka.No.800/2010/A3 dated 10.07.2011 and quash the same.

For Petitioner : No appearance

For Respondents : Mr.N.Inbanathan
Additional Government Pleader

सत्यमेव जयते
O R D E R

The petitioner was appointed as the president of the panchayat under the banner of the opposition. It is his contention that though he was discharging his duty properly, the first respondent has issued the impugned notice dated 10.7.2011 under reference No.Na.Ka.No.300/2010/A3 to show cause as to why he should not be removed from the post. It is submitted that the impugned proceedings smacks of bias and has been issued at the behest of the ruling party and therefore the impugned notice was liable to be quashed.

2.Though no counter has been filed till date, it is to be noted that the writ petition itself has become infructuous due

to efflux of time. In any event, the impugned proceedings is merely a show cause proceeding which calls upon the petitioner to show cause as to why he should not be removed from the post of the President of the panchayat.

3. Therefore, there is no merit in the challenge to the same. Petitioner is however given liberty to participate in the impugned proceeding by filing a suitable reply within a period of 30 days from date of receipt of this order if anything survives for adjudication in the impugned proceedings. If such a reply is filed by the petitioner within such time, the respondent shall proceed to consider the same and bring a closure to the proceedings by passing appropriate orders on merits in accordance with law.

4. Writ Petition is disposed with the above observation. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Inspector of Panchayat,
Coimbatore District.
2. The Tasildhar,
Pollachi Taluk (North),
Coimbatore District.

+lcc to Mr.K.P.Gopala Krishnan, Advocate, S.R.No.13116

+lcc to the Government Pleader, S.R.No.12809

W.P.No.17341 of 2011

and

M.P.No.1 of 2011

PMK (CO)
CS/30/03/2021