



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.18050 of 2021

K.Gopalakrishnan

.. Petitioner

Vs.

- 1 The State of Tamil Nadu
Rep by its Chief Secretary to Government
Secretariat
St. George Fort
Chennai- 600 001.
- 2 The Tamil Nadu State Election Commissioner
O/o. Tamil Nadu State Election
Commissioner (Local Body)
100 Feet Road
Chennai- 600 106.
- 3 The State of Tamil Nadu
Rep by its Secretary to Government
Rural Development Department
St. George Fort
Chennai- 600 001.
- 4 The District collector
O/o. The District Collector
Villupuram District
Villupuram.
- 5 The Tahsildar
Taluk Office
Melmalaiyanur
Villupuram District.
- 6 The Block Development Officer
Melmalaiyanur Block Development Office
Melmalaiyanur
Villupuram District.

.. Respondents



Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to declare the Thathankuppam as a separate village Panchayat by bifurcating Sevalapurai Village Panchayat, Villupuram District based on the representation of the petitioner dated 24.06.2021 within stipulated time may be fixed by this Honble Court.

For the Petitioner : Mr.Senthil Kumar
For Mr.K.Sathyaraj

For the Respondents : Mr.P.Muthukumar
State Govt. Pleader

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The relief sought in the petition is incapable of being addressed at this level. A purely administrative matter, which depends on the policy decision of the State, has been carried by way of a public interest litigation.

2. The petitioner desires that Thathankuppam Village should be constituted as a separate village panchayat by bifurcating Sevalapurai Village Panchayat in Villupuram District. The petitioner has forwarded a representation in such regard.

3. In matters of the present kind, the local administration has to take a decision, based on cogent parameters. Merely because one person or a section of the villagers falling within one panchayat desires that the panchayat be broken into two, may not result in the local administration accepting such suggestion.

4. Mr.Muthukumar, learned Government Pleader, appears on behalf of the official respondents.

5. W.P.No.18050 of 2021 is disposed of without looking into the reasons indicated in the petition for bifurcation of the relevant panchayat and the petitioner is permitted to make a formal representation in respect of the matters referred to in the petition to the State Revenue Secretary. Such Secretary will consider the matter in its proper perspective and communicate a decision in such regard to the petitioner within ten weeks of the receipt of the representation. Since the Revenue Secretary is not a party to the present proceedings, learned Government Pleader is requested to forward a copy of this order to the concerned official.



6. There will be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

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//True Copy//

Sub Assistant Registrar

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To:

- 1 The Chief Secretary to Government
Secretariat, St. George Fort
Chennai- 600 001.
- 2 The Tamil Nadu State Election Commissioner
O/o. Tamil Nadu State Election
Commissioner (Local Body)
100 Feet Road
Chennai- 600 106.
- 3 The Secretary to Government
Rural Development Department
St. George Fort
Chennai- 600 001.
- 4 The Secretary to Government
Revenue Department,
St.George Fort,
Chennai - 600 009.
- 5 The District collector
O/o. The District Collector
Villupuram District
Villupuram.
- 6 The Tahsildar
Taluk Office
Melmalaiyanur
Villupuram District.
- 7 The Block Development Officer
Melmalaiyanur Block Development Office
Melmalaiyanur, Villupuram District.

+1cc to Mr.K.Sathyaraj, Advocate, S.R.No.43515
+1cc to the Government Pleader, S.R.No.43629

W.P.No.18050 of 2021

PP(CO)
HS(09/09/2021)