



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.19229 of 2021

MDV.Arunkumar

...Petitioner

-Vs-

1. The Inspector of Panchayats/
District Collector,
Salem District, Salem.
2. D.Mekala
President, Masinaickenpatti
Village Panchayat, Ayothiapattinam
Panchayat Union, Salem District.
3. The Block Development Officer,
Ayothiapattinam Panchayat Union,
Salem District.
(R3 suo motu impleaded vide order
dt.13.09.2021 made in WP.19229/2021)

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to remove the 2nd respondent herein from the post of President of the Masinaickenpatti Village Panchayat based on the petitioner's representation/complaint dated 16.08.2021.

For Petitioner : Mr.L.P.Shanmugasundaram

For Respondents : Mr.A.Selvendran
Govt. Advocate for RR1 and 3

: Mr.V.Ravi for R-2

O R D E R

This writ petition was filed seeking for the issue of a writ of Mandamus directing the first respondent to remove the second respondent from the post of President of Masinaickenpatti



Village Panchayat based on the petitioner's representations / complaints dated 16.08.2021 and 27.08.2021.

2. When the matter came up for admission on 13.09.2021, this Court suo-motu impleaded the Block Development Officer as the third respondent in this writ petition. This Court further directed the first respondent to act upon the representations / complaints given by the petitioner on 16.08.2021 and 27.08.2021 and report before this Court. This Court also made it clear that the husband of the second respondent should not be allowed anywhere near the Panchayat office and take over the job of his wife who is the President of the Panchayat. The learned Government Counsel sought for some time to take instructions and report before this Court.

3. When the matter was taken up for hearing today, the learned Government Counsel circulated the written instructions received from the first respondent. It is seen from the written instructions that the first respondent had called the parties for an enquiry on 23.10.2021. During the enquiry, the husband of the second respondent has given an undertaking to the effect that he will not interfere with the affairs of the Panchayat and none of the relative will come anywhere near the Panchayat office. The undertaking given by the husband of the second respondent was recorded by the first respondent. The first respondent has further directed the third respondent to ensure that the husband of the second respondent does not interfere with the affairs of the Panchayat.

4. In view of the above development, the grievance expressed by the petitioner has been redressed. It is made clear that if at any future point of time, the husband of the second respondent interferes with the affairs of the Panchayat and tries to take over the job of his wife, the first respondent is directed to immediately take action against the second respondent in accordance with the provisions of the Panchayat Act.

5. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

KST



To

1. The Inspector of Panchayats/
District Collector,
Salem District, Salem.
2. The Block Development Officer,
Ayothiyapattinam Panchayat Union,
Salem District.

+1cc to the Government Pleader, S.R.No.56711

W.P.No.19229 of 2021

MG[co]
NSK 23/11/2021