



WEB COPY

WP(MD) No.5561 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.5561 of 2021

and W.M.P. (MD) No.4409 of 2021

(Through Video Conference)

J.Dhanalakshmi

...Petitioner

Vs.

1. The Collector,
Office of the Collectorate,
Dindigul District.

2. The Assistant Director,
Department of Rural Development and Panchayat Raj,
Dindigul District.

3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Collectorate Complex, Dindigul District.

4. The Tahsildar,
Office of the Tahsildar,
Nilakottai Taluk, Dindigul District.

5. The Block Development Officer,
Nadakottai Panchayat Union,
Nilakottai Taluk,
Dindigul District.

6. S.Meenakshi

7. P.Geetha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 3rd respondent to convene a meeting of the 'No Confidence Motion' as per the section 211 of the Tamil Nadu Panchayat Act 1994 in view of the earlier communication dated 19.02.2021.

For Petitioner: Mr.S.Ramsundarvijayaraj

For RR 1 to 4 : Mr.M.Lingadurai,
Government Advocate

For R5 : Mr.S.Shanmugavel,
Government Advocate

For RR 6 & 7 : Mr.Jeyaram Sidharth

<https://hcservices.ecourts.gov.in/hcservices/>



O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the third respondent to convene a meeting of 'No Confidence Motion' as per section 211 of the Tamil Nadu Panchayat Act, 1994 in accordance with the earlier communication dated 19.02.2021.

2. The petitioner is the elected ward member. The case of the petitioner is that she moved a 'No Confidence Motion' along with five others against the sixth respondent on 18.02.2021. The representation was made to the second respondent and the second respondent directed the fourth respondent to conduct an enquiry. The fourth respondent convened a meeting for the 'No Confidence Motion' on 05.03.2021 as per notice dated 19.02.2021. However, this meeting did not go through and it was postponed due to Assembly Elections. Thereafter, no steps were taken to convene the meeting and left with no other alternative, the present Writ Petition has been filed seeking for appropriate directions.

3. Heard Mr.S.Ramsundarvijayaraj, learned counsel for the petitioner, Mr.M.Lingadurai, learned Government Advocate for the respondents 1 to 4, Mr.S.Shanmugavel, learned Government Advocate for the fifth respondent and Mr.Jeyaram Sidharth, learned counsel appearing on behalf of the respondents 6 & 7.

4. Taking into consideration the facts and circumstances of the case and also of the fact that the fourth respondent has already issued a notice on 19.02.2021, convene a meeting, there shall be a direction to the third respondent to take a decision and complete the process within a period of four(04) weeks from the date of receipt of a copy of this order.

5. With this direction, the Writ Petition is disposed of. No costs. Consequently, connected W.M.P.(MD) No.4409 of 2021 is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sts

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 Collector,
Office of the Collectorate,
Dindigul District.
2. The Assistant Director,
Department of Rural
Development and Panchayat Raj,
Dindigul District.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Collectorate Complex,
Dindigul District.
4. The Tahsildar,
Office of the Tahsildar,
Nilakottai Taluk, Dindigul District.

+1 CC to M/s.SPL GP (SR-21209[F] dated 05/07/2021)

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-21254[F] dated
05/07/2021)

Order made in
W.P. (MD) No.5561 of 2021

kmk (CO)
TR(12.07.2021) 3P 7C