



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.2545 of 2022

WEB COPY

A.Lakshmi Azhkapuriyan,
Panchayat President,
Melapattam Karisalkulam Panchayat,
Rajapalayam Panchayat Union,
Virudhunagar District.

... Petitioner

Vs.

The District Collectorate
(Panchayat Division)
Kumarasamy Raja Nagar,
Virudhunagar District-626 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the explanations dated 13.11.2021 and 12.01.2022 submitted by the petitioner for show cause notice in Na.Ka.U.E.1/4647/2021 dated 26.10.2021 and Na.Ka.U.E.1/4647/2021 dated 24.12.2021 respectively and treat the matter as closed.

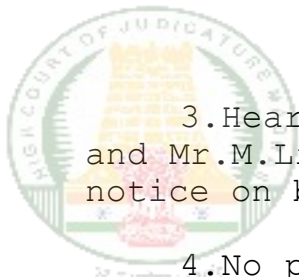
For Petitioner : Mr.M.Jerin Mathew

For Respondents : Mr.M.Lingadurai
Special Government Pleader

O R D E R

This writ petition has been filed seeking for a direction to the respondent to consider the petitioner's explanations dated 13.11.2021 and 12.01.2022 submitted to the show cause notices issued by the respondents under Section 205 of the Tamil Nadu Panchayat Act, 1994.

2.The petitioner is a Panchayat President of Melapattam Karisalkulam Panchayat, Rajapalayam Panchayat Union, Virudhunagar District. Show cause notices have been issued on 26.10.2021 and 24.12.2021 to the petitioner, under Section 205 of the Tamil Nadu Panchayat Act, 1994, levelling the irregularities against him in his functioning, for which, explanations have been given by the petitioner, on 13.11.2021 and 12.01.2022 and till date no final orders have been passed. In such circumstances, this writ petition has been filed.



3.Heard Mr.M.Jerin Mathew, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4.No prejudice would be caused to the respondents, if the final orders are passed by the respondents in respect to the show cause notices, dated 26.10.2021 and 24.12.2021, issued by the respondents to the petitioner under Section 205 of the Tamil Nadu Panchayat Act, 1994, on merits and in accordance with law, after affording a fair hearing to the petitioner within a time frame to be fixed by this Court.

5.Accordingly, this Court directs the respondent to pass final orders in respect to the show cause notices dated 26.10.2021 and 12.01.2022, after considering the petitioner's explanations dated 13.11.2021 and 12.01.2022, after affording personal hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the aforesaid direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The District Collectorate
(Panchayat Division)
Kumarasamy Raja Nagar,
Virudhunagar District-626 002.

+1 CC to M/s.M.E.ILANGO, Advocate (SR-4937[F] dated 09/02/2022)

+1 CC to M/s.SPL.GP (SR-5011[F] dated 09/02/2022)

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