



W.P.(MD)No.6153 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6153 of 2022

M.Logeshwaran

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Block Development Officer,
Panchayat Union,
Balakrishnapuram,
Dindigul.

3.The Assistant Director of Panchayat,
Dindigul Collectorate,
Dindigul.

4.The Tahsildar,
Dindigul East,
Dindigul.

5.N.Revathi

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 31.12.2021 and complete



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the enquiry against the fifth respondent based on the notice issued by the second respondent dated 07.01.2022 within the period stipulated by this Court.

For Petitioner : Mr.Yasar Arafath
For R1 to R4 : Mr.K.Balasubramani
Special Government Pleader
For R5 : No appearance

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for R1 to R4.

2.The petitioner is a member of the Balakrishnapuram Panchayat. The said Panchayat has 15 members. 1/3rd of the total members including the petitioner are ranged against the President. But that is not sufficient to invoke Section 205 of the Tamil Nadu Panchayats Act, 1994. Hence, I am not in a position to direct the first respondent to take action as per Section 205 of the Act. It is true that the first respondent can take action on his own motion also. If requisite number of members are not available, it is a call that has to be taken only by the first respondent and it is not for this Court to issue any writ of mandamus.



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3. With this observation, the Writ Petition is dismissed. No costs.

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Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN,J.

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