



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.10912 of 2022

T.Vairamuthu

... Petitioner

Vs.

1.The District Collector,
Collectorate Campus,
Theni,
Theni District.

2.The Assistant Director (Panchayat),
Rural Development and Panchayat Raj Department,
Theni,
Theni District.

3.The Block Development Officer,
Andipatti Post,
Andipatti Taluk,
Theni District.

4.K.Ganiraja

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 22.04.2022 for removal of the fourth respondent from the post of President of Thirumalapuram Village Panchayat by invoking the powers conferred under Section 205(1)(a) of Tamil Nadu Panchayats Act, 1994, within the period that may be stipulated by this Court.

For Petitioner	: Mr.C.Venkatesh Kumar
For R1 to R3	: Mr.K.Balasubramani
	Special Government Pleader

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for R1 to R3.

2. Mr.K.Balasubramani, learned Special Government Pleader, takes notice for the respondents 1 to 3.

3. The petitioner is a member of Thirumalapuram Panchayat. His case is that the panchayat president who has been named in person as the fourth respondent in the writ petition had indulged in irregularities. He has therefore lodged a complaint before the Inspector of Panchayats. The petitioner is aggrieved that



effective and speedy action is not being taken. That led to filing of this Writ Petition.

4.It is true that the Inspector of Panchayats is possessed of the power under Section 205 of Tamil Nadu Panchayats Act, 1994 to take action against the erring panchayat president. The petitioner is one of the ward members. It is not a case where the petitioner had mobilized the requisite numerical strength and based on the same, he invoked the power of the Inspector of Panchayats. On the other hand, the petitioner has only given a complaint cataloging certain allegations against the fourth respondent herein. It is entirely for the first respondent to go into the petitioner's complaint and take action as per law. It is not for the Court to issue any mandamus in such matters. Leaving open the matter entirely to the discretion of the District Collector, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

rmi

To

1.The District Collector,
Collectorate Campus,
Theni,
Theni District.

2.The Assistant Director (Panchayat),
Rural Development and Panchayat Raj Department,
Theni,
Theni District.

3.The Block Development Officer,
Andipatti Post,
Andipatti Taluk,
Theni District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-24711[F] dated 09/06/2022)

+1 CC to M/s.SPL.GP (SR-25080[F] dated 10/06/2022)

W.P.(MD)No.10912 of 2022

08.06.2022

RD(22.06.2022) 2P 6C

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