



W.P.(MD)No.12882 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12882 of 2022

Vallinayagipuram Village Panchayat,
Represented by its President
Thavasiammal
Villathikulam Panchayat Union
Thoothukudi District.

... Petitioner

Vs

1.The Secretary
Rural Development and panchayat Raj Department,
Fort St.George
Chennai.

2.Director of Rural Development and Panchayat Raj Department,
Directorate of Rural Development and Panchayat Raj Department,
Paanagal Building,
Saidapet,
Chennai – 600 015.

3.The District Collector / Inspector of Panchayat,
Thoothukudi District,
Collectorate Campus,
Korampalam,
Thoothukudi.

4.Block Development Officer,
Villathikulam Panchayat Union,
Villathikulam,
Thoothukudi District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the impugned proceedings / Letter of the fourth respondent herein in Thi 1/3325/2022 dated 11.06.2022 and quash the same.

For Petitioner : Mr.S.Pon Senthil Kumaran

For Respondents : Mr.M.Sarangan
Additional Government Pleader for R.1 to R.3

Mr.J.John Rajadurai for R.4

ORDER

Heard the learned counsel on either side.

2. The petitioner is the President of the Village Panchayat. He is aggrieved by the impugned communication sent by the fourth respondent stating that the petitioner must not convene Grama Sabha Meeting without getting permission from the District Collector / Inspector of Panchayats. A careful study of the statutory scheme set out in the Tamil Nadu Panchayats Act, 1994, would show that what is contemplated under Section 3 of the Act is that at least two Grama Sabha Meetings must be held every year. This was increased by G.O(Ms)No.65, dated 24.04.2022 to six meetings. The dates of the meetings have also been set out in the said G.O. This however would not mean that more number of meetings should not be held by the Panchayat President.



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There is no requirement to get prior permission from the District Collector /

Inspector of Panchayats conveying the Grama Sabha meetings. When the statute has not stipulated that prior permission of the Inspector of Panchayats should be obtained before convening the Grama Sabha meeting, it is not open to the fourth respondent to insist that the petitioner – Panchayat President must get such prior permission. The impugned communication has no statutory basis and it stands quashed. This Writ Petition is allowed. No costs.

28.06.2022

Index : Yes / No

Internet : Yes/ No

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To

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4.Block Development Officer,
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