



W.P(MD)No.15004 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15004 of 2022

and

W.M.P.(MD)Nos.10735 & 10736 of 2022

A.G.Sharmilaji

... Petitioner

Vs.

1.The State of Tamil Nadu

Represented by Secretary to Government,
Rural Development and Local Administration Department,
Fort St.George,
Chennai-600 009.

2.The Inspector of Panchayat / The District Collector,
Madurai District,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records in order dated 24.06.2022 in Na.Ka.No.௮4/௨.இ(௨௭)/664/2020, dated 24.06.2022 on the file of the second respondent and notified as Tamil Nadu Official Gazette Notification No.377, dated 05.07.2022 issued under Section 205(11) of the Tamil Nadu Panchayats Act, 1994 and quash the same as illegal, incompetent and against the settled principles of law.



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For Petitioner : Mr.S.Ramesh
for Mr.V.Raghavachari

For Respondents : Mr.Veerakathiravan
Additional Advocate General
assisted by
Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General assisted by the learned Special Government Pleader appearing for the respondents.

2. She was removed on own motion by the District Collector under Section 205 of the Tamil Nadu Panchayats Act, 1994. Questioning the same, the petitioner has come before this Court. Since factual aspects are involved, in writ jurisdiction, it may not be possible for this Court to go into the same. Therefore, I permit the petitioner to move the Government under Section 205(12) of the Tamil Nadu Panchayats Act, 1994.

3. Since I had admitted the writ petition and also granted interim relief, interim order granted by me shall continue till 12.08.2022. This benefit will be available to the writ petitioner only if the writ petitioner files a statutory appeal



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on or before 03.08.2022. The petitioner can also pray for any interim order.

Interim application to be filed by the writ petitioner shall be disposed of by the Government on or before 10.08.2022. The main appeal will also be disposed of in four months. I make it clear that I have not gone into the merits of the matter. All the contentions of the petitioner are left open.

4. The Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

29.07.2022

Index : Yes / No

Internet : Yes/ No

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NOTE:Issue Order Copy on 01.08.2022

To

1.The Secretary to Government,
Rural Development and Local Administration Department,
Fort St.George,
Chennai-600 009.

2.The Inspector of Panchayat / The District Collector,
Madurai District,
Madurai.



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G.R.SWAMINATHAN, J.

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