



W.P.(MD)No.27249 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.27249 of 2022

K.Pandiselvam

... Petitioner

Vs

1.The District Collector,
Sivagangai,
Sivagangai District – 630 211.

2.The Assistant Director of Panchayat,
Sivagangai Collectorate Campus,
Sivagangai.

3.The Block Development Officer,
Village Panchayat,
Thiruppattur Union,
Sivagangai District – 630 211.

4.Sudha Gnanasekar, W/o.Gnanasekar,
Panchayat President,
Ernasingapuram Panchayat,
Tiruppattur Union,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation, dated 09.03.2022, on merits and in accordance with law.



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For Petitioner : Mr.R.Velmurugan

For Respondents 1 and 2: Mr.D.Gandhiraj
Special Government Pleader

For 3rd Respondent : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Mandamus, directing the first respondent to consider his representation, dated 09.03.2022, on merits and in accordance with law.

2. Heard Mr.R.Velmurugan, learned counsel for the petitioner; Mr.D.Gandhiraj, learned Special Government Pleader, who takes notice for the respondents 1 and 2; and Mr.S.R.A.Ramachandran, learned Additional Government Pleader, who takes notice for the third respondent.

3. Having regard to the nature of the order proposed to be passed in this Writ Petition, notice to the fourth respondent is dispensed with.

4. According to the learned counsel for the petitioner, the fourth respondent was elected as President of Ernasingapuram Panchayat and she is allowing her husband namely, Gnanasekar to do Panchayat activities on her behalf. Further, the fourth respondent and her husband trespassed into the



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petitioner's house and had demolished a portion of his house without issuing any notice to him and also threatened the petitioner. Hence, the petitioner lodged a complaint, pursuant to which, a case in Crime No.446 of 2020 was registered against them on 02.07.2020 for the offences punishable under Sections 294(b), 427 and 506(ii) of I.P.C. on the file of the Inspector of Police, Tiruppattur Town Police Station. The fourth respondent and her husband misused the powers of President and acting against the Tamil Nadu Panchayats Act and the Rules framed thereunder. Therefore, on 09.03.2022, the petitioner had given a complaint as against the fourth respondent to the first respondent and other respondents to initiate disqualification proceedings against the fourth respondent under Section 205 of the Tamil Nadu Panchayats Act, 1994. Since the same has not been considered so far, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5. The relief sought by the petitioner in the present Writ Petition cannot be considered, as this is only a private dispute between the parties regarding the possession of the property. All the trivial issues cannot be considered by this Court. If at all the petitioner is aggrieved, he can approach the third respondent/Block Development Officer, Village Panchayat, Tiruppattur Union, Sivagangai District, and the police officials to redress his grievance and not this Court, by invoking Article 226 of the Constitution of India.



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6. Accordingly, this Writ Petition is dismissed. No costs.

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V.BHAVANI SUBBAROYAN, J.

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