



WEB COPY



W.P.No.3465 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 8.2.2023

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THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.3465 of 2023
and W.M.P.No.3531 of 2023

S.Ramesh

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Petitioner

Vs.

- 1 The Director/Commissioner of Rural Development, Panagal Building, 15, Jeenisi Road, Saidapet, Chennai-15
- 2 The District Collector/Inspector of Panchayat, Coimbatore District, Coimbatore.
- 3 The Block Development Officer, Periyanaickenpalayam Panchayat Union, Periyanaickenpalayam, SRKU Post, Coimbatore 641 020.

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Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari Mandamus, to call for the records on the file of the 2nd respondent in connection with the proceedings in Na.Ka.No.3320/2021 /A3 dated 26.09.2022 and quash the same as illegal.

For Petitioner : Mr.R.Singaravelan
Senior Counsel
For Respondents : Mr.K.M.D.Muhilan, A.G.P.



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ORDER

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Challenging the impugned order dated 27.9.2022 withdrawing the cheque signing power of the President of Asokapuram Village Panchayat by the second respondent, the petitioner has filed the instant writ petition.

2. The main contention of the learned Senior counsel appearing for the petitioner is that cheque signing power of the President of Village Panchayat has been taken away by the second respondent without any notice and having proceeded under Sec.205 of the Tamil Nadu Panchayats Act, 1994 without providing an opportunity of hearing to the petitioner. It is further contended that the petitioner belongs to different political party, the impugned order has been passed with malafide intention.

3. Whereas, the learned Additional Government Pleader appearing for the respondents would submit that the petitioner has granted approval, regularising number of plots by violating the provisions contemplated under the Tamil Nadu Panchayats Act, 1994 and therefore, action has been initiated under Sec.205 of the Act.

4. Such view of the matter, this Court is of the view that the Inspector of Panchayats/District Collector, Coimbatore District, the second respondent herein shall conclude the proceedings under Sec.205 of the Tamil Nadu



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Panchayats Act, 1994 and take a final decision within a period of one month from the date of receipt of copy of the order. Till such time, withdrawal of signing power shall be kept in abeyance. Further action shall be taken in this regard, pursuant to the outcome of the enquiry under Sec.205 of the Tamil Nadu Panchayats Act, 1994. Till the enquiry proceedings under Sec.205 of the Act are concluded, the petitioner shall not pass any order granting approval or regularisation of any plot.

5. Accordingly, the writ petition stands disposed off. No costs.

Connected miscellaneous petition is closed.

6.02.2023

Neutral Citation: Yes/No

Speaking/Non Speaking order

Index: Yes/No

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N.SATHISH KUMAR, J.

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