



W.P.No.23924 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.23924 of 2023

Y.Chellammal Vaithyalingam

...Petitioner

Vs.

1.The District Collector
Salem District
Salem.

2.The Block Development Officer
Mallikundam Panchayat Union
Salem District 636 458.

3.The Director
The Tamil Nadu Rural Development & Panchayat Raj Department
Panangal Malikai
Saidapet, Chennai.

4.Brindha Kumaresan
Vice President of Mallikundam Village Panchayat
Mecheri Panchayat Union, Mettur Taluk
Salem District 636 458.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 29.05.2023 and to conduct an enquiry according to Rule 204(3) of Tamil Nadu Panchayat Act, 1994.

For Petitioner : Mr.O.Selvam

For Respondents : Mrs.S.Anitha for R1
Special Government Pleader

Mr.M.Shajahan for R2
Special Government Pleader

Mr.A.M.E.Sakthiappan for R4

ORDER

The petitioner herein seeks a direction to the first respondent to consider his representation dated 29.05.2023 and pass orders in accordance with Section 204(3) of the Tamil Nadu Panchayat Act, 1994.

2. It is the case of the petitioner that he is the President of the Mallikundam Village Panchayat, Mecheri Panchayat Union, Mettur Taluk, Salem District. According to the petitioner, he is not getting proper co-



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operation from the fourth respondent/Vice President of the Panchayat and other members and therefore, the welfare activities of the Panchayat are stalled. In this connection, the petitioner submitted a representation to the first respondent on 29.05.2023 seeking his intervention under Section 204 (3) of the Panchayat Act to enable her to act effectively as President of the Panchayat, but the same has not been considered by the first respondent till date.

3. Mr.M.Shajahan, learned Special Government Pleader appearing for the second respondent by taking this Court to the counter affidavit submitted that based on the representation of the petitioner, an enquiry was conducted on 23.08.2023 by the Assistant Director (RD) (Pts), Salem District, and he also forwarded the finding to the first respondent in its proceedings in Roc.No.1070/2023/A5, dated 23.08.2023.

4. In view of the fact that the enquiry was already conducted by the Assistant Director and his findings were also forwarded to the first respondent, there may not be impediment for the first respondent to consider the representation of the petitioner and pass final orders.



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5. In such circumstances, this Court is inclined to issue a direction to the first respondent to consider the representation of the petitioner dated 29.05.2023 and pass final orders on merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order, after issuing notice to the fourth respondent.

6. With the above directions, this Writ Petition is disposed of. No costs.

05.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna



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