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W.P. No. 32308 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 32308 of 2023

and

W.M.P. Nos. 31914 and 31915 of 2023

E.K.V.Manimaran
Petitioner

...

-VS-

1. The District Collector /Inspector of Panchayat
Dharmapuri District
Dharmapuri – 636 705.

2. The Block Development Officer (VP)
Harur Panchayat Union, Harur
Dharmapuri District.

3. R.Ganesan

4. The Branch Manager
Indian Bank
Gopinathampatty Branch
Pappireddipatty Taluk
Dharmapuri District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the records of the Second Respondent herein relating to his impugned orders passed in his proceedings Na.Ka.No.1225/2023/E5 dated 15.09.2023 and letter in Na.Ka.No.1225/2023/E4 dated 15.09.2023 sent to the Fourth Respondent herein and quash the same as without jurisdiction, arbitrary and illegal.

For Petitioner : Mr. R.Thamaraiselvan

For Respondents : Mr. U.Baranidharan (AGP) (R1)
Mr. P.Sanjai Gandhi (R2)



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ORDER

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Heard Mr. R.Thamaraiselvan, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader, who takes notice for the First Respondent and Mr. P.Sanjai Gandhi, Learned Counsel, who takes notice for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Third and Fourth Respondents, notice to them is dispensed with.

3. It is the case of the Petitioner, who is the President of Village Panchayat Kokkarapatti in Harur Panchayat Union of Dharmapuri District, that the Second Respondent, viz., Block Development Officer, Harur Panchayat Union, has not been vested with any power under the Tamil Nadu Panchayats Act, 1994, to pass the Order in Na.Ka. No. 1225/2023/E5 dated 15.09.2023 and Letter in Na.Ka. No. 1225/2023/E4 dated 15.09.2023, which are impugned in this Writ Petition.



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4. Learned Additional Government Pleader appearing for the First Respondent, on instructions, states that the impugned orders have been withdrawn and further action would be taken by the concerned authority in accordance with law and he has filed a memo dated 17.11.2023 to that effect, which is placed on record.

In such circumstances, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

17.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 05.06.2024.

Maya

To

1. The District Collector /Inspector of Panchayat
Dharmapuri District
Dharmapuri – 636 705.
2. The Block Development Officer (VP)
Harur Panchayat Union, Harur
Dharmapuri District.
3. The Branch Manager
Indian Bank
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P.D. AUDIKESAVALU, J.

Maya

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