



W.P.(MD).No.9601 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **25.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **C.V. KARTHIKEYAN**

W.P.(MD).No.9601 of 2023
W.M.P(MD).No.8535 of 2023

Sudalaimani

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep.by its Additional Chief Secretary,
Department of Municipal Administration,
Urban and Water Supply,
Fort St.George,
Chennai-600 009.
- 2.The Inspector of Panchayat/District Collector,
Tenkasi District,
Tenkasi.
- 3.The Block Development Officer (Village Panchayat)
Keelapavoor Panchayat Union,
Tenkasi District.
- 4.Kulasekarapatti Panchayat,
Rep.by its President,
Keelapavoor Panchayat Union,
Tenkasi District.

...Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to remove the present Panchayat President of the fourth respondent Panchayat by following due process under Section 205(i)(b) of the Tamil Nadu Panchayats Act, 1994, based on the joint representation given by the petitioner and others dated 06.09.2022 and 21.11.2022 and the enquiry conducted by the Assistant Director of Panchayat, Tenkasi dated 03.01.2023 within the period stipulated by this Court.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.M.Muthu Vijayan
Special Government Pleader
for R1 and R2
Mr.T.Amjad Khan for R3 and R4

ORDER

The writ petitioner had taken recourse under Section 205(i)(b) of the Tamil Nadu Panchayats Act, 1994 and according to him, he had given representations on 06.09.2022 and 21.11.2022 relating to an enquiry conducted by the Assistant Director of Panchayat, Tenkasi.

2. The petitioner seeks a Mandamus for examination of the said representations. However, Section 205(i)(b) of the said Act relating to



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removal of the President gives power to the Inspector of Panchayats, namely, the District Collector to act of his own motion or upon a representation in writing signed by not less than two-thirds of the sanctioned strength of the Village Panchayat. The petitioner can by no stretch of imagination constitute 2/3rd members by himself. This Writ Petition is misconceived and the provisions of law is not attracted.

3. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

25.04.2023

Index: Yes/No
Internet: Yes/No
ssb

To

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Urban and Water Supply,

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C.V. KARTHIKEYAN, J.

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