



W.P(MD)Nos.15837 of 2020, 6066 of 2019
and 23868 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.08.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)Nos.15837 of 2020, 6066 of 2019 and 23868 of 2022

W.P(MD)No.15837 of 2020:-

K.Gurunathan

... Petitioner

vs.

1. The Secretary to Government of India,
Ministry of Panchayat Raj, Krishi Bhawan,
Dr.Rajendra Prasad Road,
New Delhi-110 001.

2. The Secretary to Government of Tamilnadu,
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai -600 009

3. The Director of Rural Development and Panchayat Raj,
Rural Development and Panchayat Raj Department,
Panagal Building, Saidapet,
Chennai -600 015.

4. The Inspector of Panchayats/District Collector,
Trichy District,
Trichy.

5. The Thasildar,
Thuraiyur Taluk,
Trichy District.

6. The Block Development Officer,(VP),



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Thuraiyur Block,
Trichy District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to take effective steps to ensure the conduct of Grama Sabha meetings in all over Tamil Nadu State by strictly complying the Tamil Nadu Grama Sabha (Quorum and Procedure for Convening and Conducting of meetings) Rules 1998 and as per proceedings of the 2nd respondent in Letter No.4181/PR.2/2019-2 dated 31.05.2019 and also by considering the suggestions made in the representation of petitioner dated 18.08.2020.

For Petitioner	: Mr.R.Gowrishankar
For R1	: Mr.M.Karthikeyavenkitachalapathy
For R2 to R5	: Mr.P.Thilakkumar, Government Pleader
For R6	: Mr.S.P.Maharajan
	Special Government Pleader

W.P(MD)No.6066 of 2019:-

K.Gurunathan

... Petitioner

vs.

1. The Secretary to Government of Tamilnadu,
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai -600 009.

2. The Inspector of Panchayats/District Collector,
Trichy District,
Trichy.

3. The Pagalavadi Village Panchayat Rep by its
Special Officer/Block Development Officer(VP),



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Thuraiyur Block,
Thuraiyur,
Trichy District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to take necessary steps to cancel the irregular Gramasabha Meeting held on 26.01.2019 in Pagalavadi Village Panchayat, Thuraiyur Block, Trichy District and re-conduct the same as per the Tamil Nadu Grama Sabha (Quorum and Procedure for Convening and Conducting of meetings) Rules 1998, by considering the representations of petitioner dated 28.01.2019 and 30.01.2019 within a time frame as fixed by this Honourable Court

For Petitioner : Mr.R.Gowrishankar
For R1 & R2 : Mr.P.Thilakkumar, Government Pleader
For R3 : Mr.S.P.Maharajan
Special Government Pleader

W.P(MD)No.23868 of 2022:-

K.Gurunathan

... Petitioner

vs.

1. The Director of Rural Development and Panchayat Raj,
Rural Development and Panchayat Raj Department,
Panagal Building, Saidapet,
Chennai -600 015.

2. The Inspector of Panchayats/District Collector,
Trichy District,
Trichy.

3. The Thasildar,
Thuraiyur Taluk,
Trichy District.



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4. The Block Development Officer,(VP),
Thuraiyur Block,
Trichy District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the Respondents 2 and 3 to take necessary steps to cancel the irregular Gramasabha Meeting held on 14.11.2021 Social Audit Gram Sabha Nallavanipatti, 01.05.2022 Gram Sabha Meeting at Kaliampatti and 15.08.2022 at Pagalavadi Village Panchayat, Thuraiyur Block, Trichy District and re-conduct the same as per the Tamil Nadu Grama Sabha (Quorum and Procedure for Convening and Conducting of Meetings) Rules 1998 by considering the representation of petitioner dated 22.08.2022, 09.05.2022, 23.11.2021, 03.10.2022 within a time frame as fixed by this Hon'ble Court.

For Petitioner	: Mr.K.Gurunathan/Party in Person
For R1 to R3	: Mr.P.Thilakkumar, Government Pleader
For R4	: Mr.S.P.Maharajan Special Government Pleader

COMMON ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

In W.P(MD)No.15837 of 2020, the petitioner is challenging the Gramasabha meeting dated 31.05.2019. In W.P(MD)No.6066 of 2019, the petitioner is seeking a direction to consider his



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representations dated 28.01.2019 and 30.01.2019. So also, he seeks a direction to re-conduct the Gramasabha meeting held on 26.01.2019. In W.P(MD)No. 23868 of 2022, the petitioner seeks a direction to cancel the Gramasabha meeting held on 14.11.2021, 01.05.2022 and 15.08.2022 and seeks a direction to re-conduct the same.

3. As per the Tamil Nadu Grama Sabha (Quorum and Procedure for Convening and Conducting of Meetings) Rules 1998, the Gramasabha has to be held in every village panchayat at a public place. The notice of not less than seven clear days is to be issued. The notice is to be issued by beat of drum, by written intimation of the meeting to be displayed by a affixture in the office of the village panchayat and other conspicuous public places and a copy of the notice and the agenda shall be sent to the Inspector not less than seven clear days before the date of the meeting. The quorum is also prescribed.

4. According to the petitioner, final orders were passed by this Court in the earlier writ petition directing the procedure to be adopted and followed. The violation has been committed by the authorities in



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respect of the said order. As against that, contempt petition is also filed. In contempt petition, further orders are passed by this Court.

The petitioner can prosecute the same.

5. The Gramasabha meetings held in the years 2019, 2021 and 2022 have already taken effect to. No purpose would be served now by commenting upon the said Gramasabha meetings nor it is possible to set the clock back. The orders are already passed by this Court regarding the conduct of the Gramasabha in the earlier writ petition as contended by the learned counsel for the petitioner. The respondents certainly are required to adhere to and follow the directions so also, the rules governing the conduct of the Gramasabha meticulously. If Gramasabha is sought to be held by violating the rules, then at that time itself, the same ought to be challenged, that is, immediately, then, some steps can be undertaken with regard to the said meeting itself. No purpose would be served now by passing an order after 2 to 4 years in respect of Gramasabha meetings already held.

6. It is the duty of the officers to abide by the rules for conduct of the Gramasabha meeting. In a Gramasabha meeting, every



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villager is entitled to participate in the meeting and the Gramasabha meeting has its own importance. So as to enable all the villagers to participate in the Gramasabha meetings, naturally, the procedure required for conduct of the Gramasabha is required to be scrupulously followed by the authorities concerned. We hope and trust that the same would be followed by the authorities in future.

7. With these observations, the Writ Petition is disposed of.
No costs.

**[S.V.G., C.J.] [C.K., J.]
29.08.2023**

Index : Yes / No
Neutral Citation : Yes / No
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To

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THE HONOURABLE CHIEF JUSTICE
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C.KUMARAPPAN, J.

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