



W.P(MD)No.25476 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25476 of 2023

and

W.M.P.(MD)Nos.21652 & 21653 of 2023

Vilvathampatti Panchayat
Rep. by its President,
K.K.Ravichandran,
Palani Taluk,
Dindigul District.

... Petitioner

Vs.

1.The District Collector / Inspector of Panchayat,
O/o. District Collector / Inspector of Panchayat,
Dindigul District,
Dindigul.

2.The Block Development Officer (Village Panchayat)
Thoppampatti,
Dindigul District.

3.The Regional Block Development Officer,
Thoppampatti Panchayat Union,
Thoppampatti,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the 1st respondent vide his proceedings in Na.Ka. No.2089/2023/A5 dated 12.06.2023 and quash the same as illegal.



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For Petitioners : Mr.S.Mohamed Suhail
for M/s.Ajmal Associates

For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

Heard both sides.

2. The local body cannot be the aggrieved person. The writ petition is liable to be dismissed since it has been filed by the local body.

3. The learned counsel for the petitioner states that this Court may take an indulgent view of the matter. By the impugned order dated 12.06.2023, the cheque signing powers of the president and the vice president have been taken away by the district collector. Admittedly, before passing the impugned order, neither the president nor the vice-president were put on notice. The procedure delineated by the Hon'ble Division Bench in the decision reported in **2005 (1) CTC 545 (Pugazhendran President Vs. B.G.Balu)** had not been followed.

4. On this sole ground, the impugned proceedings are set aside. Their cheque signing powers shall be restored. It is open to the first respondent to issue notice afresh to the concerned individuals and pass an order afresh on merits and in accordance with law.



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5. With this liberty to the first respondent, the writ petition is allowed.

No costs. Consequently, connected miscellaneous petitions are closed.

19.10.2023

Index : Yes / No
Internet : Yes/ No
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To

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Dindigul.
- 2.The Block Development Officer (Village Panchayat)
Thoppampatti,
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