



W.P(MD)No.29100 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29100 of 2023

P.Singaram

... Petitioner

Vs.

1.The Inspector of Panchayats /
District Collector,
Pudukottai District.

2.The Block Development Officer,
Thirumayam Panchayats Union,
Pudukottai District.

3.M.Kumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action against the third respondent under Section 205 of Tamilnadu Panchayats Act, 1994 and conclude the same on merit by considering petitioner's representation dated 05.12.2023.



W.P(MD)No.29100 of 2023

For Petitioner : Mr.R.Balakrishnan

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader
for R.1 & R.2

Mr.H.Lakshmi Shankar for R.3

ORDER

Heard both sides.

2.The petitioner is the vice president of Veerachilai Village Panchayat. The third respondent is the president. The petitioner and the third respondent are at loggerheads. Out of 9 members, 7 appear to be on the side of the president. The petitioner could not muster the numbers as envisaged under Section 205 of Tamil Nadu Panchayat Act, 1994. He therefore submitted petition before the Inspector of Panchayat for taking action. Section 205 of the Act enables the Inspector of Panchayat to take action even on *suo motu* basis. It is this jurisdiction that was invoked by the petitioner. Enquiry was conducted. Even the cheque signing powers of the petitioner as well as the third respondent were put on hold for a while. Thereafter, the Inspector of Panchayat came to the conclusion that the allegations named against the third respondent are not well founded.



W.P(MD)No.29100 of 2023

Therefore, the matter was closed and the cheque signing power of the third respondent was restored. However, in the restoration order a line was incorporated to the effect that if any complaints were received in future or if wrong doing is discovered, action will be taken. It appears that the petitioner wants to take advantage of the said observation. Unless the petitioner is having numbers on his side, this Court cannot issue any positive direction to the Inspector of Panchayat. I therefore leave the issue entirely to the discretion of the first respondent. I decline to issue any positive direction.

3.This writ petition stands dismissed. There shall be no order as to costs.

11.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The Inspector of Panchayats /
District Collector,
Pudukottai District.

3/4



WEB COPY



W.P(MD)No.29100 of 2023

G.R.SWAMINATHAN, J.

MGA

2.The Block Development Officer,
Thirumayam Panchayats Union,
Pudukottai District.

W.P(MD)No.29100 of 2023

11.12.2023