



W.P.No.1316 of 2020

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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K.G.P.Gnanamoorthy

.. Petitioner

VS

- 1.State of Tamilnadu,
rep. by Principal Secretary to Government,
Revenue and Disaster Management Department,
Revenue Administration Wing RA1(1) Section
Chepauk, Chennai-600 005.
- 2.The Additional Chief Secretary to Government,
Government of Tamilnadu,
Revenue and Disaster Management Department,
Revenue Administration Wing RA1(1) Section
Chepauk, Chennai-600 005.
- 3.Delimitation Committee,
rep. by its Member Secretary,
Secretariat, Chennai-9.
- 4.The District Collector,
Villupuram District.



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5.The District Collector,
Kallakurichi.

6.The Assistant Director,
Village Panchayat,
Villupuram.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus after calling for the records from the second respondent relating to G.O.(Permanent) No.479 dated 24.12.2019, Revenue and Disaster Management Department, Revenue Administration Wing RA1(1) Section read with the notice dated 3.1.2020 bearing reference No.Na.Ka.No.A5/3065/2019-1 issued by fourth respondent, and quash the same as illegal, malafide, arbitrary, without jurisdiction and to consequently direct the respondents to continue Karuvelpilai Palayam Village in Thirunavalur Panchayat Union, Ulundurpet Taluk, Kallakurichi District as it was prior to issuance of G.O.No.479 dated 24.12.2019.

For the Petitioner : Mr.K.Srinivasa Murthy

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1,2,4 to 6



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ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.K.Srinivasa Murthy, learned counsel for the petitioner; and, Mr.P.Muthukumar, learned State Government Pleader for respondents 1, 2, 4 to 6.

2. The petitioner is challenging the bifurcation of Karuvelpilai Palayam Village in Thirunavalur Panchayat Union as part of Villupuram District.

3. Learned counsel for the petitioner submits that though for the transfer of Karuvelpilai Palayam Village in Thirunavalur Panchayat Union to Kallakurichi District public hearing came to be conducted, the fourth respondent has refused to hear the petitioner and other members of Karuvelpilai Palayam Village. No procedure has been adopted. Lot of inconvenience is caused to the members of Karuvelpilai Palayam Village. A part of the village is in Villupuram District and the other part is in Kallakurichi District.



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4. Learned State Government Pleader submits that even fresh elections have taken place after bifurcation.

5. The act of bifurcation of the Village and attaching it to a particular District has to undergo the procedure. After adherence to the same, the bifurcation is done. In the present case, after bifurcation, even elections took place. It would not be possible now to set the clock back, unless it is a case of infraction of the procedure. It is for the authorities to consider the cause of persons in accordance with law. If the petitioner approaches the authorities concerned, it is for the authorities to consider the pros and cons of the bifurcation.

6. The writ petition is disposed of. There shall be no order as to costs. Consequently, W.M.P.Nos.1574 and 1577 of 2020 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

05.01.2024

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
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